

# **DSHS - Children's Administration Response to Washington State Citizen Review Panels August 2010**

The purpose of this report is to respond to the Citizen Review Panel (CRP) recommendations to improve the state and local child protection system.

Washington State Citizen Review Panel Program was established in 1999 in response to the Child Abuse Prevention and Treatment Act (CAPTA) requiring states to develop and establish Citizen Review Panels (CRP). The Panels' purpose is to provide new opportunities for citizens to play an integral role in reviewing whether the state is meeting its goals of protecting children from abuse and neglect.

Citizen Review Panels' participants are members of the community who volunteer their time and energy to improve the lives of Washington's children. These volunteers bring a valuable array of perspectives, experiences, and expertise.

CAPTA requires a minimum of three CRPs for each state. The three CRPs in Washington State include:

1. Children, Youth and Family Services Advisory Committee
2. Region 2 Oversight Committee
3. Children's Administration and Juvenile Rehabilitation Administration Indian Policy Advisory Subcommittee

## **Children, Youth and Family Services Advisory Committee (CYFSAC)**

This statewide committee represents all counties in Washington and has been meeting since 1985. The committee agreed to serve as a CRP in 1999. The committee meets a minimum of six times per year and advises Children's Administration on developing and delivering policies and services to increase the safety, permanent living arrangements, well being of children and strengthening families.

## **Region 2 Oversight Committee**

This committee represents Kittitas, Yakima, Benton, Walla Walla, Franklin and Columbia Counties and has been meeting since 1986. It was formed in response to passage of a Washington law in 1983 for a provision for local volunteer oversight groups. This committee volunteered to serve as one of Washington CRPs in 1999. The committee meets monthly or bi-monthly at various locations throughout the region.

## **Children's Administration and Juvenile Rehabilitation Indian Policy Advisory Subcommittee (CA/JRA IPAC)**

This subcommittee has been meeting for at least 15 years and agreed in 2008 to participate as Washington's third CRP. This group is charged with reviewing policies, procedures and legislative bills associated with Children's Administration and making recommendations on their development and final drafts. It is also a venue for Tribes to provide information to Children's Administration such as changes to tribal codes and laws, changes in tribal leadership and line staff, voicing concerns about child abuse and neglect issues, and sharing information and resources.

The following are Washington State Citizen Review Panels' focus areas and recommendations.

## Summary of Citizen Review Panel's Area of Focus

### Children, Youth and Family Services Advisory Committee

During the 2008 reporting period, the CRP continued the work begun in 2006 on racial and ethnic disproportionality related to child protection by:

- Implementing the tasks of the initial CRP plan to examine racial and ethnic disproportionality and disparity in child welfare services in Washington State, with special emphasis on child protection, herein called the Disproportionality Plan. These tasks include:
  - Collect and receive information about disproportionality in Washington State and nationally
  - Discuss strategies to address racial disproportionality and disparity
  - Attend anti-racism training
  - Provide input to the Remediation Report of the Washington State Racial Disproportionality Advisory Committee (WSRDAC). The Remediation Report recommends ways to decrease and eliminate racial disproportionality in Washington State.

### Region 2 Oversight Committee

During 2008, the Oversight Committee invited local community members to meetings to explore whether CA services are accessible, and whether policies, practices and community collaboration support child safety and well-being. The committee also continued to follow agency progress implementing recommendations from prior years. Areas of focus last year included: child fatalities, agency performance meeting federal and state targets (data), foster parent support and training, emergency child placement resources, racial disproportionality in CA services, and staff turnover.

### Children's Administration and Juvenile Rehabilitation Indian Policy Advisory Subcommittee

During the 2008 reporting period, the CA/JRA IPAC Subcommittee focused on disproportionality of Indian children within the child welfare system and compliance with the Indian Child Welfare Act. The CA/JRA IPAC Subcommittee used their involvement in Substitute House Bill 1472 and Indian Child Welfare (ICW) case review as the foundation for this work. The Subcommittee also has served as a vehicle to disseminate information to tribes, Indian Organizations and other community partners and to solicit comments and suggestions on a regular basis.

## Summary of Citizen Review Panel's Recommendations

### Children, Youth and Family Services Advisory Committee

1. Update Mandated Reporter materials for service providers and community partners that can be used for training of mandated reporters.
  - a. Include specific questions in the materials addressing racial bias, that reporters can ask themselves as they are considering making a referral. The Panel has committed to help the CA develop these questions.
2. Require training for all mandated reporters using the new materials.

3. Continually review current disproportionality data on early decision points.
  - a. Compare to the initial data from the WSRDAC June 2008 report to track the impact of remediation efforts.
  - b. Provide this information to CA staff as feedback on whether disproportionality is changing or not.
  - c. Engage the community in the discussion and solutions to affect disproportionality.

### **Region 2 Oversight Committee**

1. For the agency and communities to be effective partners supporting child safety, CPS must be respected and trusted. As the agency starts new initiatives, resources, and practice change, it should consistently allow both time and funds to inform, plan collaboratively, and work together with communities in each location, attending to local needs and differences.
2. The agency at all levels should continue to support the WSRDAC and commit itself to the Remediation Plan.
3. CA should begin in-depth discussions and examination of the problem of foster home shortages.
4. There should continue to be at least one member of the Region 2 Oversight CRP who also serves on the state Children, Youth and Family Services Advisory Committee (as Michael Bates does now).

### **Children's Administration and Juvenile Rehabilitation Indian Policy Advisory Subcommittee**

1. Continue to work on the development of the Washington State Indian Child Welfare Act.
2. Conduct the second ICW case review in September, 2009; ensure that the case review outcomes are communicated to all CA staff; recommendations for the case review are clarified, and that progress is reported out on a regular basis by RAs.
3. Develop mechanism to allow for tribal access to the CA, DSHS data system.
4. CA Regional Administrators (RAs) will work with Tribes in their area to complete Local Tribal/State Agreements.
5. RAs will set up ICW and Quality Assurance training with local LICWAC's and CPS and CWS workers.
6. Distribute copies of the most recent federal listing of designated tribal agents for ICWA notices. It is titled 'Federal Register, Tuesday, April 28, 2009, Part IV, Department of the Interior, Bureau of Indian Affairs, Indian Child Welfare Act; Receipt of Designated Tribal Agents for Service of Notice'.

## **Children's Administration Response to Citizen Review Panel Recommendations**

### **Children, Youth and Family Services Advisory Committee**

#### Recommendation 1

Update Mandated Reporter materials for service providers and community partners that can be used for training of mandated reporters.

- a. Include specific questions in the materials addressing racial bias that reporters can ask themselves as they are considering making a referral. The Panel has committed to help the CA develop these questions.

*CA Response:*

The Mandated Reporters Guide to Child Abuse and Neglect was updated in 2009 to include information on Disproportionality and is located at: [DSHS - Children's Administration's Guide to Reporting Child Abuse and Neglect](#). CA agrees the issue of disproportionality is an ongoing concern and keeping the mandated reporter training materials updated is an important step in increasing awareness of racial disproportionality.

As a part of an ongoing effort to address Disproportionality, CA hired Mireya Beltre in 2009 as CA Headquarters Disproportionality Program Manager. This position includes the following key responsibilities:

- Managing administrative and operational aspects of the disproportionality program.
- Assisting senior management and stakeholders with implementing and achieving long-range planning, disproportionality program development, and legislative objectives.
- Facilitating communication and information flow with key stakeholders as the Administration implements the legislatively mandated collaboration protocols in partnership with the Washington State Racial Disproportionality Advisory Committee (WSRDAC).

In March 2010, Mireya Beltre and Marianne Ozmun, CA Communications Manager convened a group to revise the Mandated Reporter training. The goals included:

- Increase awareness of racial disproportionality in the child welfare system.
- Familiarize mandated reporters with the data regarding referral, and the impact of race and racism on their reporting decisions.

The group also discussed potential training tools and communications methods for improving mandatory training to include issues of race and racism. Training tools being considered are:

- Video Brochure
- Power Point
- Disproportionality fact sheet for Mandated Reporters
- Mandated Reporters Training Video.

Recommendation 2

Require training for all mandated reporters using the new materials.

*CA Response:*

CA has been coordinating closely the CA Racial Disproportionality Regional Leads in developing a plan for providing mandated reporter trainings within the regions. A video brochure and power point are being developed. The video brochure is a 3-6 minute informational video designed to heighten awareness about the issue of disproportionality, and to bridge the gap between current mandated reporter multi-media resources available and those that will be further developed in a more stable economy.

The video brochure will be available both to those who deliver in-person training to mandated reporter groups and to those searching for resources online. While this brochure is not intended to be ancillary to other tools or seen as an “afterthought,” it will serve both as a stand alone resource and one that may be used in conjunction with our existing Mandated Reporter video and our new statewide Mandated Reporter PowerPoint currently in development.

A communications plan has been developed so that the video brochure and power point are simultaneously launched and widely available through multiple communications channels to all target audiences including:

- Medical personnel
- Law Enforcement
- School Staff
- Social Service providers

Information about the training materials, including the video brochure and powerpoint, will be posted on the intranet, internet and foster parent website and included in the Children's Administration newsletter in June 2010. In addition, information about the training materials and the request to use it in all mandated reporter training will be sent to all regional mandated reporter trainers in July 2010.

### Recommendation 3a

Continually review current disproportionality data on early decision points.

- a. Compare to the initial data from the WSRDAC June 2008 report to track the impact of remediation efforts.

### *CA Response:*

Based on the findings from the Washington State Institute for Public Policy (WSIPP) 2008 Report on Disproportionality in Washington State, the legislature charged the WSRDAC with making recommendations and improving racial disproportionality and disparity in Washington through a remediation plan. The Remediation Plan includes recommendations which have demonstrated evidence of success in other states.

Since the initial report and recommendations were submitted, there have been many activities implemented surrounding disproportionality as well as monitoring the progress and impact of implementation of the Remediation Plan.

CA has assigned a project lead to each of the recommendations. A Remediation Workgroup was formed to address each initiative. The workgroup provides status updates on a monthly basis and these are recorded in the workgroup minutes. In this way, CA maintains a record of initiative efforts, milestones, barriers, and successes.

The Administration is also analyzing data to compare disproportionality rates at each of the following decision points in the Washington State Child Welfare system.

- Referral
- Accepted referral (Investigations)
- Identification of the child as High Risk
- Child removed from Home
- Child in placement more than 60 days
- Child in placement more than 2 years

Children's Administration assesses these rates as various remediation activities are implemented. Information about CA's work on Disproportionality, including the Remediation Report is located at: <http://www.dshs.wa.gov/ca/about/disproportion.asp>

WSIPP is conducting evaluations on the impact of Structured Decision Making (SDM) and Family Team Decision Making (FTDM) meetings on disproportionality.

CA staff has met with WSIPP staff to discuss programmatic information and data that will be needed for the evaluation. Liaisons have been assigned to work with WSIPP to provide information about SDM and FTDM implementation. Staff will also assist with sharing relevant program data and answer any questions that surface as WSIPP conducts the evaluation.

The monitoring activities will be ongoing for the life of this remediation plan. Evaluations of Structured Decision Making and Family Team Decision Making meetings are scheduled to occur in FY 2010, with completion and report to the Legislature by January 2011.

Recommendation 3b

- b. Provide this information to CA staff as feedback on whether disproportionality is changing or not.

*CA Response:*

CA acknowledges the importance of having a consistent format in which to deliver disproportionality information to staff. Currently CA is working on a communications plan that includes Disproportionality printed information, i.e., fact sheets, presentations, statewide and regional data, as well as information on the Internet and Intranet.

A Cultural Competence Anti-Racism Training (CCART) workgroup was formed in April, 2009 and includes representatives from CA as well as community partners. The workgroup has met twice and held one conference call. The workgroup's purpose is to develop a short range and long range plan for providing cultural competency anti-racism training to all CA staff.

In June, the workgroup published a short term training plan covering the period August 2009 through December 2010. The target date for implementation of a long range plan was set as February, 2011.

The ongoing training plan is a series entitled Undoing Racism and Knowing Who You Are. In addition, Building Bridges trainings are planned for June 2010, including a train the trainer sponsored by the National Coalition Building Institute. More information is located at: [National Coalition Building Institute](#). It is important to note that cultural competency training has been and is being conducted independently by selected CA Regions.

Recommendation 3c

- c. Engage the community in the discussion and solutions to affect disproportionality.

*CA Response:*

This is a priority for CA and on-going effort that can be sustained at a regional level. Each Disproportionality regional lead has put together a community group that speaks to issues of Racial Disproportionality on a continual basis to improve the community awareness of the issue and discuss recommendations from the community on how best to address the issue. Each region is responsible for providing updates and requesting information from the Program manager regarding activities.

## **Region 2 Oversight Committee**

Recommendation 1

For the agency and communities to be effective partners supporting child safety, CPS must be respected and trusted. As the agency starts new initiatives, resources, and practice change, it should consistently allow both time and funds to inform, plan collaboratively, and work together with communities in each location, attending to local needs and differences.

*CA Response:*

CA is in agreement about the importance of collaboration and greatly values the contributions that communities bring to supporting child safety. We have all been called upon to consider new and effective ways to do our work and focus where the need is the greatest in order to maximize all resources available to us. CA Region 2 has collaborated with Casey Family Programs to initially establish, jointly staff, and conduct Permanency Roundtables for more than 100 children currently in care in the region during November, 2009. Roundtable sessions focused on identifying and developing action plans to safely move these children to permanent placements within a 12 month timeframe. We are continuing our collaborative efforts with Casey Family Programs and plan to conduct additional Permanency Round tables in the coming months.

Recommendation 2

The agency at all levels should continue to support the Disproportionality Advisory Committee and commit itself to the Remediation Plan.

*CA Response:*

CA is committed to implementing policies and procedures that will eliminate disproportionality and racial disparities in the state child welfare system without compromising child safety. This can only be accomplished through close collaboration with the Disproportionality Advisory Committee. CA has identified a statewide Disproportionality program manager and regional leads to accomplish the goals outlined in the Disproportionality Advisory Committee Remediation Plan. The overarching efforts include:

- Established regional disproportionality groups with representation from regional CA leadership and area stakeholders.
- Entered into a partnership agreement with Case-CSSP Alliance for Racial Equity to obtain technical assistance.
- Working with DSHS Planning, Performance and Accountability to develop measurement criteria.

Progress made on specific initiatives include:

- Structured Decision Making (SDM) and Family Team Decision Making meetings (FTDM) will be studied by WSIPP, if funds are allocated, or by DSHS Planning, Performance and Accountability.
- Partnering with Aging and Disability Services Administration to integrate efforts to support and enhance kinship care.
- Indian Child Welfare Act (ICWA) and proposed Washington State ICWA working on the next ICW case review.
- Cultural Competency training.
- Mandated Reporter Resource Information on Disproportionality.
- Agency self assessment.
- Racial Equity impact tool.

Recommendation 3

CA should begin in-depth discussions and examination of the problem of foster home shortages.

*CA Response:*

The foster home population of about 5,800 homes has remained virtually constant the past several years. The same number of people who come in the front door of the foster care system is also the same number of those leaving.

Like other states and county based systems over the last 20 years, CA has examined many ways to seek new and improved strategies to recruit foster parents and support those who have become licensed. The various recruitment strategies have included:

- Teaming
- Branding and marketing campaigns
- State-run initiatives
- Contractor-driven activities
- Use of outside consultant expertise, among others.

Family To Family is the most recent approach that centers on recruitment in “neighborhoods of focus” where the most children are removed from their birth homes. Goals are set for increased homes in those neighborhoods to keep children in their own schools and communities.

The strategies to support licensed caregivers include:

- Building hubs and support groups
- Increased communication with caregivers
- New support programs
- Regular satisfaction surveys
- Appreciation celebrations and honoring events.

Not having enough foster homes persists throughout the country. Many believe the answer lies in the support of the already-licensed caregivers. Those who work daily in recruitment and support believe the best recruiters are satisfied, supported caregivers. These are people who need their work to be valued, their thoughts to be respected and their day-to-day needs to be met as they care for kids.

It is essential that licensed caregivers be given the resources that they need due to the incredibly challenging work, poor reimbursement rate (50-60 percent of the actual cost of caring for a child), and the extraordinary time demands. Studies show that it costs 8-10 times more to recruit and train a new employee than to keep an existing one. In addition, the key to keeping licensed caregivers satisfied, on the job and more willing to recruit others to the cause of caring for our kids, is promptly returned phone calls, adequate respite, notification of meetings, collaboration when kids are moved, requests for feedback, etc. All of these factors and many more small daily demonstrations of respect and value may be the best strategy to grow our population of foster homes.

CA HQ and Region 2 are in agreement that this should be a key focus of work and will work with the Oversight Committee in moving forward with this discussion.

#### Recommendation 4

There should continue to be at least one member of the Region 2 Oversight CRP who also serves on the state Children, Youth and Family Services Advisory Committee (as Michael Bates does now).

#### *CA Response:*

CA is in agreement that there should continue to be at least one member of the Region 2 Oversight CRP who also serves on the state Children, Youth and Family Services Advisory Committee. Currently, Michael Bates participates in both committees.

## **Children's Administration and Juvenile Rehabilitation Indian Policy Advisory Subcommittee**

### Recommendation 1

Continue the development of the Washington State Indian Child Welfare Act.

#### *CA Response:*

Washington State Tribes and Recognized American Indian Organizations lead efforts to develop a Washington State Indian Child Welfare Act (WSICWA). The purpose for the WSICWA is to support uniform adherence to the federal ICWA as well as State policies related to ICW throughout cross systems including Children's Administration, Courts, Guardian Ad Litem, CASA, and service providers.

The CA/JRA IPAC Subcommittee convened a workgroup to assist in the development of the WSICWA throughout the last year. The workgroup reported back to the subcommittee on a regular basis. The proposed legislation is scheduled to be introduced during the 2011 legislative session. The workgroup, along with tribal leaders will continue to work on it throughout 2010.

Tribal leaders held a round table on December 2, 2009 with ten tribes from Washington State represented.

### Recommendation 2

Conduct the second ICW case review in September, 2009; ensure that the case review outcomes are communicated to all CA staff and that recommendations for the case review are clarified and that progress is reported out on a regular basis by RAs.

#### *CA Response:*

##### *ICW Case Review in September, 2009*

The second Indian Child Welfare (ICW) case review was conducted throughout all of the six Children's Administration (CA) regions from September 2009 through December 2009. Plans are in process to develop a Remediation Plan with the Tribes, Recognized American Indian Organizations (RAIO's), regional administrations and headquarters administration with the support of the Casey Family Services.

The ICW case review development was a collaboration of Tribes and CA in response to the 2004 Child and Family Services Review to monitor CA compliance to Federal and State policies related to ICW practice. This Quality Assurance tool will be a benchmark for CA to measure strengths and challenges related to ICW practice regionally and statewide.

The first review was conducted in 2007. This review will be conducted in each odd year of the state biennium.

### Recommendation 3

Develop mechanism to allow for tribal access to the CA, DSHS data system.

#### *CA Response:*

RAs will work with Tribes in their area to complete Local Tribal/State Agreements.

CA ICW Program Managers worked with the CA Technology Services (CATS) staff to develop mechanisms to allow for tribal access to FamLink. There are 29 federally recognized tribes in Washington State that will have read only access.

Data sharing and confidentiality agreements are being developed. Tribal FamLink Access Forms were distributed to tribes and CA is in the process of using these responses to implement the access process.

Currently, CATS staff and tribes are communicating about technology and equipment requirements to allow tribes to gain access from their work sites. For those tribes that do not have the technology they will be given the option to utilize equipment in local CA offices.

The FamLink data system has been updated to allow tribal access. CA staff around the state has been designated as point persons to train tribal staff in the process of accessing information on children affiliated with their tribe and to provide on-going training and support.

Recommendation 4

RAs will work with Tribes in their area to complete Local Tribal/State Agreements.

*CA Response:*

RAs contacted each tribe in their regions regarding their Local Agreements. A matrix has been developed to track the tribal requests and wishes relating to their agreements. RAs will follow-up at the timelines given by the tribes.

Recommendation 5

RAs will set up ICW and Quality Assurance training with Local LICWAC's and CPS and CFWS workers.

*CA Response:*

RA's are working directly with Liz Mueller, Vice Chair of Jamestown S'Klallam Tribe and Indian Policy Advisory Committee Chair and Trudy Marcellay, DSHS Office of Indian Policy Region 6 Manager to schedule and provide Indian Child Welfare Advisory Committee (LICWAC) training for LICWAC's and CPS and CFWS workers. The trainings started in 2009 and continue throughout 2010.

Recommendation 6

Distribute copies of the most recent federal listing of designated tribal agents for ICWA notices. It is titled 'Federal Register, Tuesday, April 28, 2009, Part IV, Department of the Interior, Bureau of Indian Affairs, Indian Child Welfare Act; Receipt of Designated Tribal Agents for Service of Notice.

*CA Response:*

This Federal Register list was updated on the CA intranet site on May 5, 2009 and communicated in an All Staff memo regarding the updated list. The list is also intended to be included in FamLink. The request to update the ICW Resource tabs with the updated Federal Register List in FamLink was made during a September 2009 FamLink session.