



# **California Child Welfare Council**

## **2013–14 Annual Report**

July 2014

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EDMUND G. BROWN, JR.  
Governor

DIANA S. DOOLEY  
Secretary, California Health and  
Human Services Agency  
Cochair, California Child Welfare Council

# CALIFORNIA CHILD WELFARE COUNCIL

## Membership 2013-2014



TANI G. CANTIL-SAKAUYE  
Chief Justice of California and  
Chair of the Judicial Council

VANCE RAYE  
Administrative Presiding Justice  
Cochair, California Child Welfare Council

1. Diana Dooley, Co-Chair
  2. Hon. Vance Raye, Co-Chair
  3. H.J. David Ambroz
  4. Vincent Bartle
  5. Karen Baylor
  6. Ken Berrick
  7. Dana Blackwell
  8. Hon. Stacy Boulware Eurie
  9. Sheila Boxley
  10. Philip Browning
  11. Paul Curtis
  12. Leah Davis
  13. Marlena Davis
  14. Toby Douglas
  15. Hon. Leonard Edwards (Ret.)
  16. Hon. Susan Eggman, Ph.D.
  17. Patrick Gardner
  18. Karen Grace-Kaho
  19. David Green
  20. William (Bill) Grimm
  21. Leslie Heimov
  22. Vanessa Hernandez
  23. Howard Himes
  24. Kathryn Icenhower, Ph.D.
  25. Rollin Ives
  26. Gordon Jackson
  27. Hon. Steven Jahr
  28. Phillip Kader
  29. Don Kingdon, Ph.D.
  30. Teri Kook
  31. Will Lightbourne
  32. Hon. Carol Liu
  33. Maurice Lyons
  34. Camille Maben
  35. Aubrey Manuel
  36. Susan Manzi
  37. Frank Mecca
  38. Linda Michalowski
  39. Mike Minor
  40. Hon. Michael Nash
  41. Barbara Needell, Ph.D.
  42. Crys O'Grady
  43. Don Pickens
  44. Cory Pohley
  45. Cheryl Rave
  46. Charlene Reid
  47. Terry Rooney, Ph.D.
  48. Carroll Schroeder
  49. Cherie Schroeder
  50. Karen Stapf Walters
  51. Hon. Darrell Steinberg
  52. Hon. Mark Stone
  53. Rochelle Trochtenberg
  54. Hon. Claudette White
  55. Vacant
- Secretary, Health and Human Services Agency  
Administrative Presiding Justice, Third District Court of Appeal  
Disney Television Group; Former Foster Youth  
Student, University of California, Berkeley; Former Foster Youth  
Deputy Director, Mental Health and Substance Use Disorder Services, DHCS  
President and CEO Seneca Family of Agencies  
Senior Director, Strategic Consulting, Casey Family Programs  
Presiding Juvenile Court Judge, Superior Court of California, Sacramento County  
President and CEO, Prevent Child Abuse California  
Director, Los Angeles County Department of Children and Family Services  
Executive Director, California Coalition for Youth  
Parent Leader, California State Parent Team  
Child Welfare Policy Assistant, Assn. for Comm. Human Serv. Agencies; Former Foster Youth  
Director, California Department of Health Care Services  
Retired Judge, Superior Court of California, Santa Clara County; Judicial Council Volunteer  
Member, California State Assembly  
Director, Young Minds Advocacy Project  
Foster Care Ombudsman, California Department of Social Services  
Social Worker, Los Angeles County Department of Children and Family Services  
Senior Attorney, National Center for Youth Law  
Executive Director, Children's Law Center of California  
Policy Coordinator, California Youth Connection; Former Foster Youth  
Director, Napa County Health and Human Services Agency  
Executive Director, SHIELDS for Families, Inc.  
Special Advisor, California Department of Health Care Services  
Assistant Superintendent, California Department of Education  
Administrative Director of the Courts, Judicial Council of California  
Chief Probation Officer, Contra Costa County  
Deputy Director/Small County Liaison, California Mental Health Directors Assn.  
Senior Program Officer, Stuart Foundation  
Director, California Department of Social Services  
Member, California State Senate  
Vice Chairman, Morongo Band of Mission Indians  
Executive Director, California First 5  
President, California State Care Providers Association  
Board President, Youth in Mind; Former Foster Youth  
Executive Director, County Welfare Directors Association of California  
Vice Chancellor, California Community Colleges  
Director, Division of Juvenile Justice, Calif. Dept. of Corrections and Rehabilitation  
Presiding Juvenile Court Judge, Superior Court of California, Los Angeles County  
Research Specialist, School of Social Welfare, University of California, Berkeley  
Former Foster Youth  
Parent Leader, California State Parent Team  
Executive Director, California Court Appointed Special Advocates  
Crave Productions; Foster-Adoptive Parent  
Director, Tehama County Department of Social Services  
Director, Colusa County Behavioral Health Services Department  
Executive Director, California Alliance of Child and Family Services  
Yolo County Foster and Kinship Care Education Program; Foster Parent  
Executive Director, California State Board of Education  
President Pro Tempore, California State Senate  
Member, California State Assembly  
Youth Organizer, Humboldt County Transition Age Youth Collaboration; Former Foster Youth  
Chief Judge, Quechan Tribal Court, Fort Yuma Indian Reservation  
Director, California Department of Developmental Services

## Executive Summary

The California Child Welfare Council (Council) was established as a statewide multidisciplinary advisory body by the Child Welfare Leadership and Accountability Act of 2006. It is responsible for improving services to children and families in the child welfare system and those at risk of entering the system, particularly emphasizing collaboration among multiple agencies and the courts. It is also charged with reporting on the extent to which child welfare programs and the courts are responsive to the needs of children in their joint care.

The State of California is responsible for ensuring that foster children and youth receive mandated services provided by several state departments. However, in the Council's authorizing statute the Legislature acknowledged that the services available to meet their basic needs were insufficient. The statute declared that statewide leadership and coordination across departments is essential to addressing poor outcomes and to provide these young people with critically needed support and services at the local level.

### Overview of Activities

During fiscal year 2013-14, the Council built on work begun in prior years to further develop multi-system collaboration, process improvement, and effective partnerships necessary for continued improvement within the child welfare system. The following are a few highlights:

- *K – 12 Educational Credits*. Promoting accurate calculation of partial credits for foster youth who transfer schools during a semester.
- *Child Sex Trafficking*. Focusing efforts on ending commercial sexual exploitation of children, many of whom are or were former foster youth, and preventing victimization.
- *Family Reunification*. For parents whose children have been placed in foster care system but are working to reunite with their children, ensuring that multiple systems can provide the services and supports they need to be successful.
- *Federal Financing Reform*. Developing educational materials to promote understanding of the challenges and opportunities presented by federal child welfare financing reform efforts.
- *Equity for Placement with Relatives*. Understanding how inequities in the current financing system affect foster children who are ineligible for federal benefits when they are placed with relatives.
- *Foster Youth as Young Parents*. Responding to data showing the disproportionate number of current and former foster youth who become young parents, a work group was formed to study how to improve services that support healthy sexual development of foster youth.
- *Permanency*. Exploring the many routes for foster children to have permanent, nurturing families – through timely reunification, family finding and engagement, kinship care, and adoption.
- *K – 12 Educational Summit*. Partnering with the California Blue Ribbon Commission on Foster Care on addressing education issues, culminating in the Keeping Kids in School and Out-of-Court summit.
- *Foster Parent Education*. Building on the California First 5 Media Campaign to promote healthy brain development of zero to three year olds through its “Read, Talk, Sing” educational outreach to parents by adding materials and messaging targeted at foster parents.
- *Prevention and Early Intervention*. Incorporating the responsibility of the statewide Citizens Review Panel, mandated under federal law, into the Prevention and Early Intervention Committee of the Council.

The Council expanded its work to other areas, including:

- *Data Sharing*. Working with state agencies, the courts, counties, and others to promote data linkages that further knowledge about California’s families and children.

These accomplishments and others are described in detail in this Annual Report, as required by statute. This report is respectfully submitted to the Governor, Legislature, Judicial Council and the public.

## Structure of the Council

The Council meets quarterly under the leadership of its Co-Chairs:

- Diana Dooley, Secretary of the California Health and Human Services Agency
- Vance Raye, Administrative Presiding Justice of the Third District Court of Appeal (Chief Justice of California's designee.)

The Council is comprised of 54 members representing a broad spectrum of agencies, advocates and consumers involved in the child welfare system. The Council is structured to encourage participation by Council members and all other stakeholders, both during these quarterly meetings and in between through standing committees and task forces.

### Standing Committees

- Prevention and Early Intervention Committee – identifies and promotes services and support systems that prevent the need for families to enter the child welfare system.
- Permanency Committee – identifies and recommends strategies to remove barriers that keep children in foster care so that they do not grow up in temporary homes but rather have permanent, nurturing families.
- Child Development and Successful Youth Transitions Committee – identifies and advocates for services to ensure that foster children's health, mental health, educational and social development needs can be met and that older foster youth can be prepared for successful transitions to adulthood.
- Data Linkage and Information Sharing Committee – identifies and shares ways that data can be accessed across major child serving agencies to provide essential information to those involved in the care of foster children and to measure foster children's outcomes from the services they receive.

### Task Forces for Cross-Committee Issues

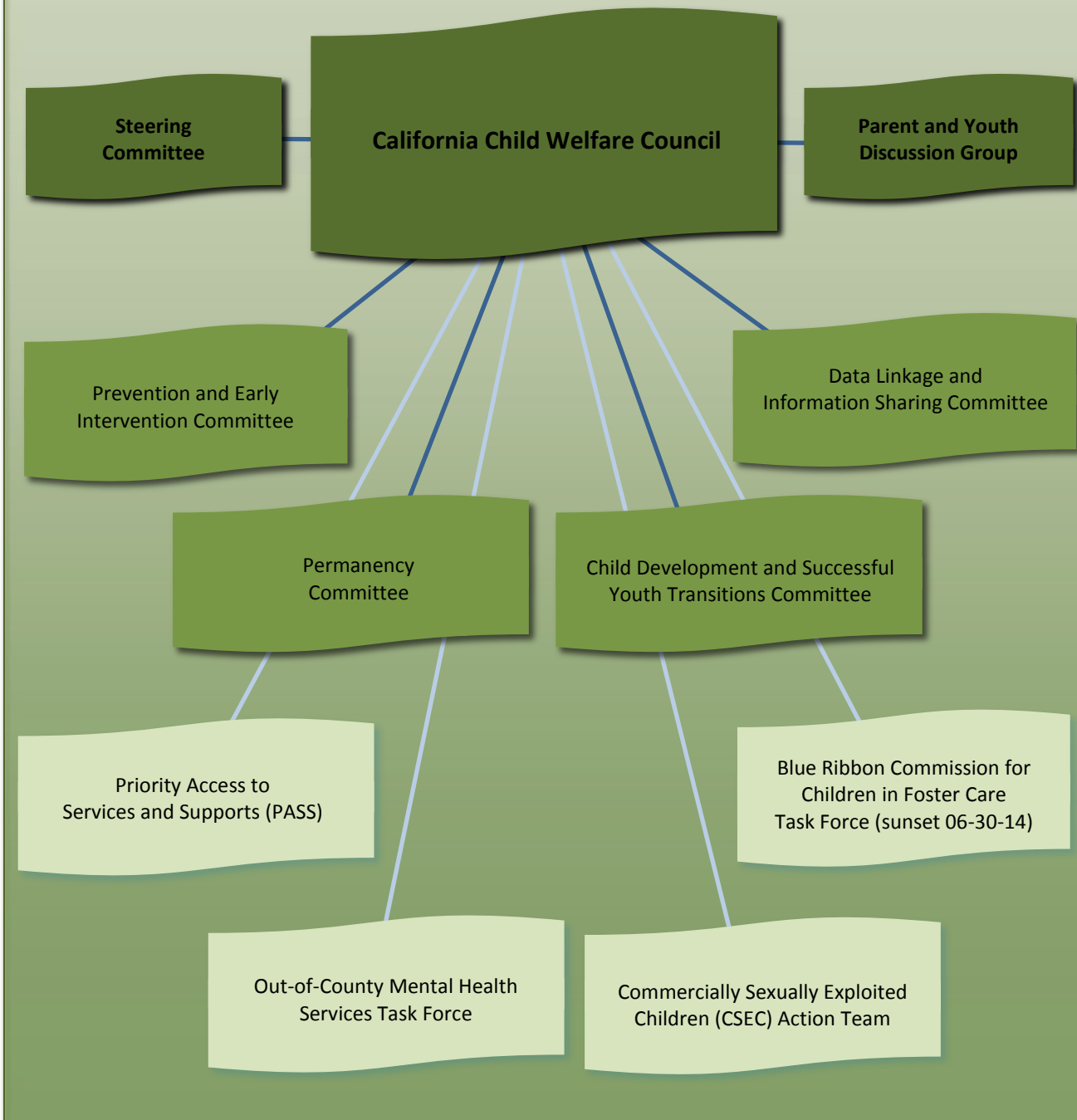
- Priority Access to Services and Supports Task Force – examines how parents of foster children who have a reunification plan can receive priority access to services needed across multiple systems in order to have their children safely returned home.
- Out-of-County Mental Health Services Task Force – advocates for a system that ensures foster children's access to mental health treatment is not compromised when they reside outside their county of court jurisdiction.
- California Blue Ribbon Commission on Children in Foster Care Co-Membership Task Force – through the Council members who are also members of the Blue Ribbon Commission, apprised Council members of the Blue Ribbon Commission's activities to coordinate and leverage the work of both entities and to collaborate on joint goals and projects. The Blue Ribbon Commission on Children in Foster Care sunsetted on June 30, 2014.
- Commercially Sexually Exploited Children (CSEC) Action Team – began development of an infrastructure for serving children who are victims or at-risk of becoming victims of commercial sexual exploitation, focusing on children in foster care.

### Special Guidance

- Steering Committee – advises Co-Chairs on issues to be addressed and on Council meeting agendas.
- Parent and Youth Discussion Group – promotes consumer voice in all deliberations by preparing before and debriefing after each Council meeting.

The chart on the following page illustrates this structure.

## The Council's Committees and Task Forces



Throughout fiscal year 2013-2014 members of the Council and its committees and task forces, as well as additional subject matter experts, shared their knowledge and experiences with the goal of improving cross-system responses necessary to improve outcomes for children and families in the child welfare system.

## The Council's Major Accomplishments

At the quarterly meetings during 2013-2014, Council members were kept informed regarding significant child welfare policy initiatives underway within each of its committees and task forces, which provided updates on the status of their work. Details regarding each meeting were captured in *Discussion Highlights*, which are available on the Council's website, <http://www.chhs.ca.gov/Pages/CACChildWelfareCouncil.aspx>.

During fiscal year 2013-14, the Council built on work begun in prior years and initiated several new projects. In all of this work essential components include multi-system collaboration, process improvement, and effective partnerships as envisioned in the statute that created the Council. These are not only the foundation of the Council's philosophy, but are essential to achieve continued improvement within the child welfare system. The major collaborators on topics studied by Council during this fiscal year are noted in the sections below.

### For Foster Youth Who Transfer Schools, Promoting Accurate and Timely Calculation of Partial Credits

Students in foster care have been plagued with tremendous disparities in academic achievement. Recent research commissioned by the Stuart Foundation demonstrated that foster youth not only fair worse in terms of academic achievement than the general student population, but also have poorer outcomes than their peers matched by risk factors, such as poverty and special education status. Specifically, Stuart Foundation's recent report "At Greater Risk" found that:

- Only 40% of foster youth graduate high school, compared to 72% of the general population of 47% of a comparison population matched based on characteristics and risk factors.
- 80% of foster youth in 11th grade are performing below the level of proficiency in English Language Arts in 11th grade, compared to 52% of the general population and 64% of economically disadvantaged 11th graders. California
- Youth who had three or more placements were 13% less likely to graduate than youth with fewer placements, while youth with five or more placements were 31% less likely to graduate.

### Partial Credits: Major Collaborative Partners

- California School Boards Association
- California Department of Education
- California Legislature
- County Welfare Directors Association of California
- County Child Welfare agencies
- Local Schools Boards
- Former Foster Youth
- Alliance for Children's Rights
- California Coalition for Youth
- Seneca Family of Agencies
- Stuart Foundation

Data from the California Department of Social Services show that in 2012-13 foster youth experienced an average of 1.6 home-placements in just that one year, with nearly a third having two or more placements and 5.4% having four or more placements. Barriers to educational success as a result of change in placement particularly relevant to foster youth include:

- Loss of education records, resulting in potential loss of academic credits and time spent in school and increased risk of dropping out of school.
- Difficulties adjusting to changing care and school environments, resulting in stress and behavioral problems.
- Loss of contact with persons familiar with their health, education, and welfare needs, resulting in inadequate care and inappropriate school placements.



The Partial Credit Work Group leveraged the collective expertise of its membership to develop recommendations for supporting more consistent award of partial credit. These included:

- (1) Establishing a statewide model policy for partial credit that reflects the subject area and content covered.
- (2) Defining roles, responsibilities, and timelines for operational practices.
- (3) Supporting effective implementation with increased awareness, training, and technical assistance.

The following chart shows the recommended number of credits (or portion of a credit) to be awarded to the transferring student, based on a structure of 5 credits per course:

### Guidelines for Calculating Partial Credits

7-13 class periods	=	0.5 credits per subject
14-20 class periods	=	1.0 credits per subject
21-27 class periods	=	1.5 credits per subject
28-34 class periods	=	2.0 credits per subject
35-41 class periods	=	2.5 credits per subject
42-48 class periods	=	3.0 credits per subject
49-55 class periods	=	3.5 credits per subject
56-62 class periods	=	4.0 credits per subject
63-69 class periods	=	4.5 credits per subject
70 + class periods	=	5.0 credits per subject

- If a student is enrolled in an alternative mode of study (continuation school, independent study, etc.), that program must issue credits according to this recommended model policy or its approved credit plan, if such plan provides for the provision of partial credits.
- Upon receiving notification that a student will transfer schools, the sending school must issue 'check-out' grades. For each subject that the student is passing as of the student's last day of actual attendance, the school must also calculate partial credits. The school must include both partial credits and grades earned on an official transcript within 2 business days of notification of the student's transfer as required under Education Code §§ 49069.5, 48853.5 and 51225.2.
- Pursuant to Education Code §§ 48645.5, 48853.5 and 51225.2, when a student enrolls in a school before the end of a semester, the receiving school must request and honor "check-out" grades and partial credits awarded by the sending school and apply them to the same or equivalent course within 2 business days.

The proposed partial credit calculation method offers the following features:

- Improves the accuracy of information regarding the student's academic status, giving the receiving school information on the student's command of the subject matter.
- Counts actual classroom instruction time in the rather than enrollment in a class regardless of days attended.
- Requires students to attend an adequate number of class periods for instruction in course content before receiving a full semester worth of credits, but allows for a sufficient number of absences so that foster youth are not penalized for lapses in attendance when they transfer schools.

By the end of the fiscal year, Work Group member Alliance for Children's Rights had completed the training sessions for the following groups: 8 large School Districts, 4 County of Offices of Education, 4 education conferences, 6 caregiver and youth meetings, and a Foster Youth Services Regional conference. In addition, training sessions were scheduled for 4 School Districts, 8 County Offices of Education, and a California School Boards Association conference.



## Ending Commercial Sexual Exploitation of Children (CSEC) and Preventing Victimization

In June 2013, the Council approved the formation of the CSEC Action Team for the purpose of implementing the recommendations set forth in its report entitled *Ending the Commercial Sexual Exploitation of Children: A Call For Multi-System Collaboration in California*. The recommendations are designed to improve the processes affecting CSEC and youth at-risk of commercial sexual exploitation in California. They focus on four priority areas: 1) prevalence and assessment, 2) specialized services, 3) prevention and training, and 4) multi-system and data coordination.

The CSEC Action Team is led by Co-Chairs Secretary Diana Dooley and Children's Law Center Executive Director Leslie Heimov, along with Project Director Kate Walker of the National Center for Youth Law. (For the last two months of the fiscal year, Judge Stacy Boulware Eurie, Presiding Judge of the Sacramento Juvenile Court, served as Co-Chair while Ms. Heimov was on sabbatical.) Individuals who wished to serve as members submitted an application and were selected based on their expertise and experience. As a result, the CSEC Action Team is made up of 44 individuals who have authority within their respective state, county, and community-based agencies to implement the agreed upon strategies to improve responses and services to CSEC and at-risk youth. Membership is diverse in discipline and geographic representation. CSEC Action Team members agreed that their overarching goal was "to ensure that CSEC and at-risk children who are involved with the child welfare, juvenile justice, and other child-serving systems (e.g., mental and physical health, education, the courts, nonprofit providers) are identified and receive the services they need to overcome trauma and thrive."

Subcommittees were formed around the four priority areas. CSEC Action Team and subcommittee members have prior knowledge of CSEC, but the range of expertise varies. This variance is valuable in that all members are able to disseminate what they learn through their participation to their counties and agencies. Two to three co-chairs were appointed to lead each subcommittee, including individuals from a county or state agency and a community-based provider. In total, the subcommittees are made up of over 100 individuals from across the state.

The groundwork laid in the past year will serve as a strong foundation for recent developments at the state policy level to address the CSEC issue. The Legislature passed and the Governor approved legislation that creates a CSEC Program, funded by \$5 million for start-up in the next year and \$14 million ongoing in future years for counties who agree to participate in serving CSEC victims. Also of significance, the legislation clarified that CSEC victims may be served in the Child Welfare System as victims of abuse or neglect whose parents are unable to protect or provide them with care and supervision. The CSEC Action Team plans to work closely with ten counties who have already opted to start a CSEC Program.

### CSEC: Major Collaborative Partners

- Alameda County H.E.A.T. Watch – Human Exploitation and Trafficking
- Alameda County Social Services Agency
- Asian Health Services
- Asian Pacific Islander Legal Outreach
- Aviva Children and Family Services
- Banteay Srei
- California Alliance of Child and Family Services
- California Assembly
- California Coalition for Youth
- California Community Colleges
- California Department of Education
- California Department of Social Services
- California Foster Care Ombudsman
- California Homeless Youth Project
- California Senate
- California Senate Office of Research
- California Youth Connection
- Casey Family Programs
- Children's Law Center of California
- Children's Law Center of Sacramento
- CAST – Coalition to Abolish Slavery and Trafficking
- County Welfare Directors Association of California
- Foster and Kinship Care Education
- Grossmont Unified High School District
- JPG Consultants
- Judicial Council of California
- Los Angeles County Probation Department
- MISSEY - Motivating, Inspiring, Serving and Supporting Sexually Exploited Youth
- National Center for Youth Law
- National Council on Crime and Delinquency
- Sacramento City Unified School District
- SAGE – Standing Against Global Exploitation
- Seneca Family of Agencies
- Superior Court of California – Los Angeles, Sacramento and Santa Clara
- WestCoast Children's Clinic

## Priority Access to Services and Supports (PASS)

In 2010 the Council established the PASS project to establish protocols that will give parents priority access to services needed to remedy the problems that led to removal of their children by the Court. Timely access to targeted services and supports is vital for families who have a court-ordered reunification plan, in order for them to demonstrate that they can safely care for their children.

The Council has agreed to develop prioritization for all child welfare populations, with parents in Family Reunification being the first targeted population. Executive action to compel this outcome has been set aside, as Agency Teams are committed to this outcome on their own without the need for a “top down” approach.

In 2013 the task force was re-named Priority Access to Services and Supports to better describe its purpose. In 2013, the Council set the following objectives for PASS:

- Confirm or update the extent to which services are already being prioritized, defined as these families receiving services on a “first call” basis.
- Detail barriers to full prioritization and what could be done to move beyond them.
- Identify and explore opportunities to leverage current initiatives and policy/funding opportunities including, but not limited to: 1115 waiver renewal; ACA; IV-E Waiver; 1915 I; Katie A.; CAPP; etc.
- Develop and implement a plan for moving towards full prioritization of reunification families.
- Implement the plan and report back to the Council on implementation.
- Identify data to be used for tracking and monitoring/reporting.
- Explore the feasibility of expanding prioritization beyond families in reunification to other child welfare families.

Moving forward to realize this charge, the PASS Task Force, the following structure and accompanying responsibilities were implemented:

- **Leadership Team**. The PASS Leadership Team – comprised of the co-chairs of each agency team and representatives from the Department of Social Services, Judicial Council of California, County Welfare Directors Association of California, Child Welfare Council Permanency Committee, nonprofit providers, philanthropy, and mentor parents – was established with the following roles:
  - Provide overall leadership of the PASS initiative and report out to the Child Welfare Council
  - Guidance for Departments and hold accountability to initial agreements and development of action plans
  - Align statewide policy and systems for priority access
  - Coordinate the development of the integrated PASS Action Plan
- **Task Force and Agency Teams**. The PASS Task Force identified key services to which reunification families need priority access: mental health, substance use disorders, housing, workforce, and corrections/probation. Teams were formed with representatives from the state agencies responsible for these services, as well as local partners and others. The teams identified current prioritization activities and began developing ideas to increase priority access for reunification families by:
  - Developing preliminary priority access plans for respective agency/department
  - Advising PASS Inter-Agency Leadership Team of opportunities to leverage existing initiatives and of system barriers to full, timely implementation
  - Coordinating with county representatives to prepare for implementation
  - Leading ongoing institutional change to the extent priority access is operationalized within each Department

### PASS: Major Collaborative Partners

- CA Department of Corrections and Rehabilitation
- CA Department of Health Care Services
- CA Department of Housing and Community Development
- CA Department of Social Services
- CA Workforce Investment Board
- Casey Family Programs
- Chief Probation Officers of California
- County Behavioral Health Services Association
- County Welfare Directors Association of California
- Judicial Council of California

- **Convening.** On January 30, 2014, the PASS Convening brought together agency leaders and team members, along with other key partners, to discuss the ideas already developed by the teams and continue developing Action Plans for each service area. The Convening also focused on coordination of activities across service delivery systems, and formally established the PASS Leadership Team to lead and oversee the Initiative.

### **Next Steps**

The Leadership Team will support each state agency, along with its local partners, to develop Action Plans for their service area. It will also look across systems to meet the needs of reunification families to:

- (1) **Develop PASS Agency Action Plans.** Each of the agencies providing the key services listed above will finalize an Action Plan to provide priority access for child welfare families in reunification.
- (2) **Promote Statewide Systems Integration.** Address systemic barriers identified by Agency Teams such as enabling each service delivery system to identify child welfare reunification families upon screening and intake; expediting enrollment in programs that provide needed services; case management across service delivery systems; integrating state and local government as well as nonprofit agency services to meet the needs of reunification families.

### **Federal Child Welfare Financing Reform**

The purpose of this effort is to develop educational materials for policy makers and advocates to promote understanding of the challenges and opportunities presented by federal child welfare financing reform.

Children do best in safe, stable, and permanent families; however the existing federal funding system for child welfare does not adequately support this goal. Funding is focused on critical services that are needed for children in foster care, with limited funds for assisting families to remain safely together. The cost of this current system in California is high in terms of both human and financial capital. There were approximately 54,000 California children in foster care in 2012, representing 13.5% of all foster children nationally, at a cost of \$3.9 billion to the child welfare system annually. To address these issues, California has been an active participant in the discussion on federal child welfare finance reform in order to demonstrate how reform could strengthen our ability to help families by:

- Broadening eligibility to include more families without restrictions.
- Enhancing strategic investments and accountability to provide services, strategies and supports that meet child, family and community needs.
- Providing incentives and utilizing savings to keep children safely at home.

To this end, the Council approved a toolkit developed by the Prevention and Early Intervention Committee that promotes California's voice in shaping federal child welfare finance reform through education of communities, stakeholders and the legislature. The toolkit included:

- (1) **Fact Sheet on Federal Child Welfare Finance Reform** – details basic information on why federal child welfare finance reform is needed; broad areas of agreement; and potential opportunities for action.
- (2) **California Framework for Federal Child Welfare Finance Reform** – provides a snapshot for decision makers on the current status of each finance reform area, and potential benefits for California in a reform scenario.
- (3) **Call to Action** – promotes personal commitment to advocate for Federal Child Welfare Finance Reform and suggests concrete steps that anyone can take to support California's children and families.

The Council will continue to be involved in dialogues to develop criteria and examine alternatives to financing child welfare that are aligned with and incentivize federal outcomes of safety, permanent families, educational achievement and good health for children who are served.

#### **Federal Financing Reform: Major Collaborative Partners**

- California Alliance of Child and Family Services
- California Department of Social Services
- Casey Family Programs
- County Welfare Directors Association of California
- SHIELDS for Families, Inc.
- The Child Abuse Prevention Center

## Funding Inequities for Foster Children Placed with Relatives

Federal and state law require relatives to be given preference in the placement of foster children based on research that shows children in kinship care have more stable placements, more frequent and consistent contact with birth parents and siblings, and fewer negative emotions than children placed with non-relatives. However, federal foster care eligibility criteria are not aligned with this policy preference. Federal eligibility is a *one-time determination* done at removal and does not consider whether or not the child is living with a relative but instead is based on the birth parents' income and assets based on 1996 cost-of-living criteria.

### How the Inequity Affects Foster Youth and the Relatives Providing Homes for Them

To receive federal foster care benefits, the youth must meet the 1996 AFDC criteria in the home of removal in the month of removal or one of the six months prior to removal.

- In 1996, income limit for a family of 3 to qualify for AFDC was \$723.
- By contrast, the income limit for the same family to qualify for cash assistance today is \$1,200.

What that means: a child can be removed from a parent receiving welfare benefits and still not qualify for federal foster care benefits. The federal test is not based on, nor does it take into account, the needs of the child or the needs of the relative where the child is placed.

Among California foster youth, 56% do not meet the eligibility requirements for federal funding. If a federally ineligible child is placed with an unrelated foster parent, California reimburses the foster parent at the same rate as federally eligible children, but if the child is placed with a relative, California uses the CalWORKs rate for reimbursement, which is considerably lower. For example, non-relatives would receive \$9,840/year for a 15-year old to be supported, but relatives caring for the same 15-year old who is non-federally eligible child receive a maximum of \$4,428/year. Further, relatives do not receive additional benefits for the child that are available to foster parents such as specialized Care Increments to provide for foster youth with special needs, dual agency rates for foster youth with developmental disabilities, or infant supplement for foster youth who are parenting.

Adding to the challenges for relatives caring for children in the child welfare system are the demographic characteristics: 15 – 20% of relative caregivers are over the age of 60; 39% of kinship households live below the federal poverty line; and 38% of kinship caregivers have a limiting condition or disability. Relatives receive little, if any, advanced preparation in assuming their role as caregivers, and no training required by the state.

The California Department of Social Services/Continuum of Care Reform Workgroup provides a venue for addressing this issue including:

- Update rate-setting systems so that they better support a continuum of programs and services that promote positive outcomes for children and families
- Design an integrated, comprehensive set of services including mental health and other critical services supports the achievement of well-being, permanency and safety outcomes
- Change licensing, rate-setting and auditing processes to promote quality of relative caregivers and the quality of services and programs provided.

The Council was advised that California has already made the *policy decision* to provide preference to relatives when placing a foster child and should now move toward making the *fiscal decision* to provide the foster youth who are placed with relatives equal funding and services.

## New Pursuits in 2013-14

### Data Linkages

*Working with state agencies, the courts, counties, philanthropy, and academia to promote data linkages that further knowledge about California's children and families.*

The Council reviewed three studies using linked Child Welfare Services/Case Management System data with health and education records. The first provided key information about risk factors for involvement in Child Protective Services before age five; the second demonstrated the lower educational outcomes for children in foster care compared to children who are not; and the third examined parenting among adolescents and young women with histories of CPS involvement. By linking data across systems, these studies enriched knowledge of issues confronting child welfare social workers and informed new, more promising approaches to working with children and families. These examples, while significant and illustrative of the benefits accessing data across systems at both the individual client and system levels, give insight into what might be possible as more is learned about data integration and significant barriers related to confidentiality and security are overcome.

#### Major Collaborative Partners

- University of California, School of Social Welfare, Berkeley, Data Indicators Project
- University of Southern California School of Social Work, Children's Data Network
- California Administrative Office of the Courts
- California Department of Social Services
- California Office of Systems Integration
- California Office of Health Integration and Integrity
- California Assembly Human Services Committee
- Conrad N. Hilton Foundation
- County Welfare Directors Association of California
- First 5 Los Angeles
- Stewards of Change
- Stuart Foundation
- WestEd

### Healthy Sexual Development of Foster Youth

*Responding to data showing the disproportionate number of current and former foster youth who become young parents, a work group was formed to study how to improve services that support healthy sexual development of foster youth.*

Adolescence and the transition to adulthood is a time filled with growth, including in the area of intimate relationships. This period of time can be especially challenging for youth that have grown up in foster care, who often lack the healthy role models and secure relationships that serve as the foundation for exploration and development. For foster youth, the average challenges of sexual maturation and development can be compounded by histories of abuse, which may include sexual abuse, disrupted early attachments, and a lack of stability and security. These challenges may result in an increase in risky behaviors as well as increased vulnerability to coercive and unhealthy relationships.

Given the unique challenges faced by foster youth as well as the potential life-changing impact of risky sexual behaviors, caregivers of foster youth have a responsibility to provide youth the guidance and opportunities to form developmentally-appropriate, healthy, and safe intimate relationships. However, current child welfare practice in California does not specifically address how providers of child welfare services will promote the healthy sexual development of foster youth, and there are regulations and processes in place that can limit the opportunities that youth have to explore their sexual identity and form age-appropriate, intimate partner relationships. Over time, our

#### Major Collaborative Partners

- University of California, Berkeley, School of Social Welfare, Data Indicators Project
- University of Southern California School of Social Work, Children's Data Network
- University of California, Berkeley School of Public Health
- California Department of Social Services
- California Association of Child and Family Services
- County Welfare Directors Association of California
- California Youth Connection



inattention to this aspect of child well-being often may result in foster youth's engagement in risky sexual behaviors and compromises their ability to develop the vital emotional and interpersonal skills necessary for successful relationships in adolescence and throughout their adult life. Furthermore, youth's developmentally-normal drives to form relationships within an environment of heavy restrictions can, at times, lead to behaviors and consequences. For example, youth who are prohibited from exhibiting normal sexual behaviors or forming romantic relationships may act out in frustration or run away to pursue a romantic relationship, leading to placement in more restrictive settings. If the acting out behaviors continue youth may be placed in physical restraints or on medications. Practice reform is needed to more effectively and consistently promote the healthy sexual development of young people growing up in foster care.

The Child Development and Successful Youth Transitions Committee formed a work group to address this issue; it plans to convene a stakeholders meeting in 2014-15 comprised of public agency leaders, community providers, former foster youth, and parents to develop recommendations for concrete steps on how California's Child Welfare System can better promote the healthy sexual development of foster youth. Specific steps to be taken include:

- Work with the Community Care Licensing Division within the California Department of Social Services to review current regulations and devise strategies and revisions to current policies in order to improve opportunities for youth to develop healthy relationship while still maintaining protections for their safety.
- Investigate and disseminate information on research-based training curricula and practices for promoting healthy relationships, including LGBTQ, heterosexual and transgender youth.
- Develop advisory recommendations for consideration across the multiple systems serving foster youth.

Throughout these efforts, the work group will pay particular attention to challenges that foster youth may have to face as a result of former sexual assault, sex trafficking, and/or early disrupted attachments.

## Achieving Permanence for Foster Youth

*Exploring the many routes for foster children to have permanent, nurturing families – through timely reunification, family finding and engagement, kinship care, and adoption.*

Children and youth are removed from their homes and placed into protective custody when they have suffered maltreatment and a Juvenile Court has determined that placement in out-of-home care is necessary to assure their safety. Once a child comes under the jurisdiction of the Juvenile Court, the child is remanded into the care, custody and control of the county director responsible for Child Welfare Services. A child welfare social worker must find a caregiver with whom the child may live, with options including relatives; family friends or non-related, extended family members; licensed or certified foster families; group homes; or independently in a transitional housing settings. Foster care by definition is temporary, securing for each child a permanent home in a nurturing family being the goal, either through safe return to the birth parent or with an alternative family through adoption or guardianship.

### Major Collaborative Partners

- California Department of Social Service
- California Alliance for Child and Family Service
- Alliance for Children's Rights
- Bay Area Legal Aid
- Judicial Council of California
- Mission Focused Solutions
- Seneca Family of Agencies

There are three different aspects to permanency: legal, emotional and habitation. One person, couple or family may provide all aspects of permanency for a child or youth. Often, different people provide various aspects of permanency. Permanency is both a process and a result: the process includes involvement of the youth as a participant or leader in finding a permanent connection with at least one committed adult; the result is connection with adult who provides a safe, stable and secure parenting relationship; love; unconditional commitment; and lifelong support in the context of reunification, a legal adoption, or guardianship, whenever possible.

Family Reunification includes a safe, stable and secure *parenting* relationship, love, unconditional commitment, lifelong support and a family home with the birth parent, or with the person with whom the child was living when

taken into custody. Reunification is the *first option* when securing a permanent family for children and youth. Federal and state laws require that child welfare workers make “reasonable efforts” to help parents reunify with children or youth removed from their care.

*Family Reunification Pathway to Permanency.* The Permanency Committee’s focus on Family Reunification reflects the foundational belief that children should be raised by their parents whenever safely possible, and when government removes children from their parents it has a moral and legal obligation to do everything reasonably possible to return them safely home. Further, it is government’s obligation to help vulnerable parents meet challenges and overcome obstacles so they can safely care for their children.

The Committee explored ways to improve reunification outcomes, lower rates of children re-entering foster care and maximize fiscal resources for effective services that create alternative families for children and youth least likely to achieve permanence. The resulting five theories of change led to the recommendations for action. The theories of change are:

- (1) Services designed to safely return children and youth to their parents need to be evidence-informed if families are to have the best opportunity to reunify.
- (2) Reunification and re-entry outcomes improve when representatives of the courts, child welfare and juvenile probation systems engage families in meaningful ways.
- (3) Reunification services are most effective when they meet each family’s individual needs and build on their strengths.
- (4) Services and support, when provided to reunified families, increase the likelihood that children do not re-enter the foster care system.
- (5) Resources to support permanency are enhanced by strategic investment and reinvestment in programs that reduce costs by achieving permanency for children and youth in foster care and shortening time to permanency for those just entering care.

*Family Finding and Engagement Pathway to Permanency.* A second area of focus by the Permanency Committee was achieving permanency for children who cannot be reunified with their parents, through Family Finding and Engagement (FFE). FFE is the practice of rigorously searching for and engaging extended family members and other supportive adults to establish enduring support networks for children. FFE can reduce and prevent out-of-home care; offer children already in care an opportunity to reconnect with extended family and other important people from whom they have become disconnected; and foster permanency for children in long term care. Indeed, preliminary studies show FFE improves outcomes and reduce costs, although continued study is needed.

Since its inception, the Permanency Committee has been examining many types of statewide engagement practice models and observed that FFE is integrated into all of the major reform efforts and initiatives currently underway including the *Katie A v. Bonta* Settlement, California Partners in Permanence, and the Continuum of Care Reform efforts. After the Council adopted the 2008 Permanency Committee Recommendations on FFE, a FFE Toolkit Advisory Group was formed by the California Social Work Education Committee. The resulting on-line Toolkit includes multiple features that can be used by practitioners to locate and engage family members who potentially could provide support and care for youth.

## Keeping Kids in School and Out-of-Court Summit

*Partnering with the California Blue Ribbon Commission on Foster Care to address education issues, culminating in the Keeping Kids in School and Out-of-Court Summit.*

Some members of the Council worked with the California Blue Ribbon Task Force for Children in Foster Care to plan and participate in the “Keeping Kids in School and Out-of-Court Summit,” co-convened by Chief Justice Tani Cantil-Sakauye and Superintendent of Public Instruction Tom Torlakson, and co-sponsored by the Child Welfare Council, the Blue Ribbon Commission on Children in Foster Care, Attorney General Kamala Harris, and Secretary of Health and Human Services Diana Dooley. Presiding juvenile court

### Major Collaborative Partners

- California Blue Ribbon Commission on Foster Care
- California Department of Education
- California Department of Social Services
- Judicial Council of California



judges from 32 counties accepted an invitation from the Chief Justice to put together multidisciplinary teams of 8 to 10 members that included the courts, child welfare, probation, mental health, education, and others in each community involved in the issues of truancy, chronic absenteeism, and how school discipline policies can have the effect of pushing students out of school and, too often, into the juvenile justice system. Over 400 team members and other participants attended a day of workshops on promising and proven interventions to end the “school to prison pipeline” and engage students in the school experience. Participants also attended workshops on the effects of trauma on the developing brain, adolescent brain development and how it affects behavior, and other issues. The following day was a full day summit on the federal and statewide perspectives on the issues and featured speakers including the Chief Justice, the Superintendent of Public Instruction, the California Attorney General, and other top tier leaders and thinkers on the issues. Teams drafted preliminary blueprints for change in their own counties. Feedback from participants was overwhelmingly positive as county teams returned home and began the work of putting in place improved practices.

### Educational Outreach to Foster Parents

*Building on the California First 5 Media Campaign to promote healthy brain development of 0-3 year olds through its “Read, Talk, Sing” educational outreach to parents by adding materials and messaging targeted at foster parents.*

The Child Development and Successful Youth Transitions Committee is now linked with First 5 California to incorporate information about the special issues related to developmental needs of young foster children into the First 5 general media campaign that was launched in March 2014 for the purpose of informing a broad audience about developmental needs of all children. The Committee’s specialized message will be targeted to social workers, family therapists, foster parents, relative caregivers and birth parents because foster children’s developmental needs are often complicated by issues of trauma and lack of opportunity for emotional attachment. The messaging for foster youth is targeted for completion by the end of 2014.

#### Major Collaborative Partners

- California First 5 Commission
- California Department of Social Services
- University of California, Davis
- ZERO TO THREE

### Incorporating the Citizens Review Panel Responsibility

*Bringing the function of the statewide Citizens Review Panel into the Prevention and Early Intervention Committee of the Council.*

The federal Child Abuse Prevention and Treatment Act (CAPTA) provides funding to states in support of prevention, assessment, investigation, prosecution, and treatment activities. CAPTA also lays out requirements states must meet in order to maintain eligibility for federal funding. One of those requirements, incorporated in the 1996 CAPTA reauthorization and further specified in 2003 and 2010, is the establishment of Citizen Review Panels for Child Welfare. Citizen Review Panels (CRPs) are required to review the state’s CAPTA Plan, which includes the child abuse and neglect reporting system, child welfare system, and confidentiality. The Panels are also charged with examining the policies, procedures, and practices of state and local agencies to evaluate the extent to which child protection system agencies are effectively meeting their child protection responsibilities. They may also review additional policies, procedures, and practices that they consider important to ensure the protection of children.

#### Major Collaborative Partners

- U.S. DHHS Administration on Children and Families, Region IX
- California Department of Social Services, Office of Child Abuse Prevention
- California Strategies
- Former Consumers of Child Welfare Services – Parents and Youth

The majority of states are required to have three Citizen Review Panels. Currently, California has two local panels in San Mateo County and Ventura County, and in December 2013, the Council’s Prevention and Intervention (PEI) Committee was selected to serve as a third statewide Panel, making it the only panel in California operating on a statewide basis. The PEI Committee has a broad range of membership that meets the requirements of Citizen Review Panels. The committee’s work is in alignment with the functions of a CRP, inclusive of the review of child welfare practices and making recommendations for improvement. The committee’s role as the statewide CRP has brought the added value of focusing recommendations through the lens of prevention.

## The Work of Standing Committees

As described above, the Council accomplishes much of its work through four standing Committees: Prevention and Early Intervention; Permanency; Child Development and Successful Youth Transitions; and Data Linkage and Information Sharing. The following pages present a summary of each Committee's progress during 2013-14.

### 1. Prevention and Early Intervention Committee

#### Background and Purpose

Preventing children, youth and their families from entering the child welfare system remains an important state and local outcome. The earlier families' needs and challenges are addressed, the better the outcomes for children and youth. A focus on prevention is part of the full continuum of services and supports needed to strengthen families and communities.

At the invitation of the Office of Child Abuse Prevention, California Department of Social Services, the Prevention and Early Intervention Committee committed to serving in the role of a statewide citizen's review panel. In support of the state's compliance with requirements for Child Abuse Prevention and Treatment Act (CAPTA) federal funding, there are two local panels--in San Mateo County and Ventura County--and the Prevention and Early Intervention Statewide Citizen's Review Panel, which is the only panel in California operating on a statewide basis. The Prevention Committee will continue to operate as it has all along as one of the four committees of the Council. The function as a Citizen's Review Panel is aligned with work the Committee is already doing and will continue to do while adding additional responsibilities. The purpose of this committee/panel is to:

- (1) Help establish a statewide prevention/early intervention platform through identification of research-informed practices that are a best fit for California.
- (2) Promote collective impact to prevent child abuse and neglect through dissemination of educational tools focused on child welfare and family strengthening policy and systems.
- (3) Review state child welfare policy and practices and make recommendations for improvement through the lens of prevention.

#### 2013 – 2014 Activities and Accomplishments

Federal Child Welfare Finance Reform Toolkit. The Committee completed its work on the development of a Federal Child Welfare Financing Reform Toolkit and initiated a dissemination plan to inform child advocates and policy makers regarding the issues in current federal funding of child welfare and urging their involvement in developing strategies for reform. The Toolkit includes:

- Fact Sheet – The Fact Sheet provides an overview of federal child welfare finance reform and why it is needed. This includes a discussion of the current financing system for child welfare; its inability to adequately support the entire range of services and strategies necessary for successful outcomes for children and families; and the need for protected funding that allows communities to strategically invest their resources. The Fact Sheet also provides a description of the national conversation on finance reform, detailing some of the key issues where there is consensus about what reform should incorporate, as well as areas where there is disagreement amongst stakeholders. Finally, the Fact Sheet presents criteria by which any finance reform should be evaluated.
- California Framework – This document provides a snapshot of the discussion points in key finance reform areas including: the population that can be served, the array of services that can be provided, reinvestment of savings, incentives provided to States or Jurisdictions, and accountability for achieving federal outcomes. The Framework presents a side by side comparison of what currently occurs within the federal financing of child welfare, to what could be the potential benefits to California if federal child welfare finance reform occurs.
- Call to Action – The Call to Action document is targeted to stakeholders and the general public encouraging individuals and groups to get involved, become better informed about the issues, develop a position, and

partner with others who are involved in decision-making regarding this issue. It provides links to resources that can assist them with acquiring additional resources and information about finance reform, as well as groups they can get involved with to take a position on this issue.

These documents have already initiated discussion amongst stakeholders, assisting us in moving towards our goal of increasing the interest and involvement in the federal child welfare finance reform conversation.

*Designation as the Statewide Citizens Review Panel.* The Prevention and Early Intervention Committee was approached by the California Department of Social Services' Office of Child Abuse Prevention to explore the feasibility of the Committee serving as a statewide Citizen's Review Panel (CRP) an advisory body required under the federal Child Abuse Prevention and Treatment Act (CAPTA). CAPTA provides federal funding to states in support of prevention, assessment, investigation, prosecution, and treatment activities and lays out requirements states must meet in order to maintain eligibility for federal funding. The Office of Child Abuse Prevention administers part of CAPTA for the state. Citizen Review Panels for Child Welfare were established as a requirement in the 1996 CAPTA reauthorization. The 2003 and 2010 CAPTA reauthorizations confirmed the importance of Citizen's Review Panels and added requirements and specificity. The Child Welfare Council approved the designation of PEI as the statewide CRP at its March 2014 meeting.

Becoming a statewide CRP was a natural fit in that the Committee already had a broad range of membership that is required of CRPs by the federal Child Abuse Prevention and Treatment Act (CAPTA) and the Office of Child Abuse Prevention and was already reviewing child welfare practices and was subsequently making recommendations for improvement to the California Child Welfare Council. In addition to this statewide CRP, two local panels in San Mateo County and Ventura County will continue to function.

CRPs are required to review the state's CAPTA Plan, which includes the child abuse and neglect reporting system, child welfare system, and confidentiality. CRPs are also charged with examining the policies, procedures, and practices of state and local agencies to evaluate the extent to which child protection system agencies are effectively meeting their child protection responsibilities. Once per year the PEI-CRP will produce a report containing perspectives and considerations to improve child welfare at the state level. As with all Committee products, the draft report will be presented to the full Council for review and approval, and then forwarded to the Department of Social Services.

### *Concerns and Challenges*

The promotion of dialogue regarding federal child welfare finance reform is a difficult task given that there is widespread disagreement among child advocates and public policy makers at the federal, state and local levels. There is agreement, however, that the current system is not effective in supporting federal goals of safety, permanency and well-being of children served, which at least motivates discussions on what improvements should look like.

### *2013 – 2014 Goals*

- (1) Further dissemination of the California Toolkit on Federal Reform of Child Welfare Financing.
- (2) Review the state's CAPTA Plan, which includes the child abuse and neglect reporting system, child welfare system, and confidentiality.
- (3) Examine a select set of statewide policies, procedures, and practice guidance to evaluate the extent to which California's child protection system is effectively meeting its responsibility at the state level.
- (4) Prepare a report on findings and forward to the California Department of Social Services, following review and discussion with the Child Welfare Council.

## 2. Permanency Committee

### Background and Purpose

Permanency has not been achieved for all children in care under the jurisdiction of the juvenile court. The result is devastating – far too often youth age out of care with little or no family support and have dismal outcomes such as homelessness, arrest, conviction, poverty, and mental illness. The failure of the system to achieve permanency negatively affects all children in care, with a particularly disproportionate impact on African American and Native American children. Children need to reach permanency as quickly as possible. Reunifying children and youth with their birth families as soon as it is safely possible is a primary goal of the child welfare system. When safe reunification is not possible, the goal is to achieve permanence for children and youth through adoption, legal guardianship or a lifelong relationship to a committed adult. The Permanency Committee's charge is to identify and remove barriers and recommend best practices to achieve speedy permanency for all children in foster care.

### 2013 – 2014 Activities and Accomplishments

- Completion and presentation to the Child Welfare Council at the June 2014 meeting of Family Finding and Engagement Toolkit as recommended to the Child Welfare Council in the 2008 Permanency Committee report and recommendations.
- Completion and presentation of a report to Child Welfare Council with recommendations on improving reunification and reducing reentry in the child welfare system.
- After adoption of the recommendations in the permanency committee report, the committee has begun to implement the recommendations:
  - The Alliance for Children's Rights (ACR) presented to the committee on the funding kin receive for placement of foster children. ACR also presented to the Child Welfare Council on this issue.
  - The Director of the Office of Juvenile Justice and Delinquency Prevention Family Drug Court Technical Assistance Program at Children and Family Futures made a presentation to the committee in support of the recommendation of expanding dependency drug courts statewide
  - Parent's Anonymous made a presentation to the committee in support of the best practice noted in the committee report to the Council on reunification services
  - The California Evidence Based Clearinghouse presented to the committee on research in the area of reunification services.
- Continued to monitor the statewide permanency projects. The committee and Council have had presentations on the implementation of the *Katie A.* settlement agreement, CAPP and RISE. The committee has also been following the development of the Core Practice Model for Child Welfare.
- Discussed and provided feedback on some language in AB 1790.
- Chairs of the Committee participated in the Priority Access to Services convening held in Sacramento

### Concerns and Challenges

A large number of community experts in permanency who were committed to furthering policy and practice originally comprised the Permanency Committee. Severe cutbacks in budget have limited the capacity of many of these folks to participate on the Committee. Youth voice in particular has declined.

### 2013 – 2014 Goals

The Committee will continue to work on implementation of the recommendations to the Council. The Committee's biggest task this fiscal year will be to create and coordinate a research convening to implement one of its recommendations. The Committee will be asking the Council to co-sponsor a convening on research in the area of reunification services. The Committee will also be updating its work plan goals and deciding its work for the next year.

### 3. Child Development and Successful Youth Transitions Committee

#### Background and Purpose

This Committee was formed to address issues related to child and youth well-being for the purpose of: (1) exploring issues related to the health, mental health, educational and social development needs of all children and youth in the child welfare system, from the very young through transition to adulthood and make recommendations on how to address them; and (2) gathering information on what works and recommend replication of proven policies and practices in one jurisdiction for expansion to other jurisdictions. The Committee's approach to making progress under this broad scope is to select specific topics of concern and form work groups to study the issues and issue reports with actionable recommendations for the Council's review and approval.

#### 2013 – 2014 Activities and Accomplishments

Quality/Accreditation Work Group. This work group reviewed progress of the Continuum of Care Reform project underway at the California Department of Social Services in exploring how to improve the quality of care with accreditation as one possible strategy to promote quality care. The work group is also reviewing other efforts to improve the quality of care for our foster children including Resource Family Approval (RFA); Quality Parenting Initiative (QPI); and California Partners for Permanency (CAPP).

Over Medication Work Group. This work group has several members who also serve on the Quality Improvement Project (QIP) sponsored by the California Department of Health Care Services. The purpose of the QIP is to improve the use of psychotropic medications among youth in foster care, and work group members offered suggestions to project leadership regarding its pace and direction. The work group also informed the Committee about this issue, including a federal statute passed in 2011 entitled "Child Welfare Services Improvement and Innovation Act" that was based on a United States General Accounting Office report that analyzed data from six states regarding foster youth's psychotropic drug use and concluded that foster children were prescribed these drugs at too young an age (including infants), in too large quantities (e.g., ADHD + antidepressants + mood altering drugs) and in too high dosages. The statute requires that states adopt policies by 2015 that include protocols for appropriate use of psychotropic drugs and for monitoring implementation of the protocols. The Child Welfare Council is well-positioned to study this issue because of its cross-system nature, i.e., Judges authorize the use of psychotropic drugs by foster youth; Medi-Cal pays for the drugs; mental health and primary care physicians prescribe the drugs, public health nurses are taking a more active role as a result of the Quality Improvement Project; and the child welfare social worker manages the implementation of the case plan and enters data into CWS/CMS. Fifty-six percent of foster youth placed in group homes are prescribed psychotropic medications, and, in comparison, 11-12% of foster youth placed in foster homes and less than 6% of foster youth placed with relatives are prescribed these drugs. Work group members will continue to participate on the Quality Improvement Project and offer their expertise to improve services, policies and data sharing between the foster care and Medi-Cal data bases.

Education Related Mental Health Services. This work group is following the progress of the implementation of the recently enacted Education Related Mental Health Services program and learned that it has been uneven across the state, with a few counties doing an excellent job in using mental health services to successfully implement Individual Education Plans while others are still struggling. Due to fiscal limitations on the California Department of Education, the state role is limited. At the local level, individual school districts have opportunities to incorporate mental health services into education plans as part of their funding formulas.

Young Children in Foster Care. The work group developed recommendations that were approved by the Council in December 2013, and partnered with California First 5 to implement them through the First 5 media campaign launched in March 2014 with the goal of raising awareness regarding how to ensure healthy brain development in all young children. First 5 staff is working with the work group to customize this information to foster children, with the target audience being foster parents, child welfare social workers, pediatricians and child care providers. Target date for the young foster child messages is Fall 2014.

Partial Credits. The work group completed its task to develop a recommended policy for ensuring foster youth who transfer schools mid-semester are able to transfer credits earned from the old school to the new school. Efforts

were focused on training school districts, child welfare workers, youth and caregivers on the model policy with the goal of having each school district better informed about the issue and the option of using the Partial Credits Model Policy as a uniform tool for calculating credits across the more than 1,000 school districts in California.

*Foster Children's Healthy Sexual Development.* In response to a report to the Council regarding the disproportionate rate of pregnancy among foster youth and emancipating foster youth the Committee formed a work group to look at underlying issues related to how child welfare system supports the healthy sexual development of foster youth and unintended consequences of certain policies and practice. The work group is holding informational sessions with youth, providers, academics and licensing staff with the plan to host a stakeholders meeting in the Fall or Winter of 2014-15 to understand barriers to effective services and supports and develop recommended solutions.

#### *Concerns and Challenges*

The diversity of topics requires the Committee to seek out in-kind resources from a wide range of experts, and Committee members contribute their own time and expertise between Council meetings. With the competing demands of their own jobs, it is sometimes difficult for them to take time to contribute to the Committee's work.

#### *2014 – 2015 Goals*

For fiscal year 2013-2014, the Committee will continue to work on the above areas of study, with specific goals related to each as described above. No new topics were scheduled for study as the fiscal year ended, with the option of adding new areas during the upcoming year.

### **4. Data Linkage and Information Sharing Committee**

#### *Background and Purpose*

Data can inform services at the individual and systems levels. To this end the Committee works towards linking data across major child-serving agencies (child welfare, education, vital statistics, health, mental health and substance use) to give caregivers, social workers, multidisciplinary teams and courts the ability to ensure continuity of care for children, youth and families. The Committee also helps develop essential tools to measure outcomes across systems at the state and local levels. This is critical to improving access to and the quality of services.

#### *2013 – 2014 Activities and Accomplishments*

The Committee focused on working towards data linkages and information sharing across major child serving agencies, including child welfare, education, health, mental health, and alcohol and drugs, in order to give caregivers, social workers, multidisciplinary teams and the courts the ability to ensure continuity of care and services. In addition, the committee continued efforts to assist with development of essential tools to measure outcomes across systems and the courts both at the state and local levels, as this is critical to improving the quality of and access to services and supports for children, youth and families at risk of or involved with the child welfare system. Additional activities included:

- Continued collaboration with Office of Systems Integration and Stewards of Change. Committee members participated in statewide interoperability symposiums sponsored by the Health and Human Services Agency, Office of Systems Integration and Stewards of Change.
- Continued collaboration with the Legislature. Committee members consulted with the Assembly Human Services Committee and staff as it considered legislation on interoperability and information sharing.
- Continued efforts to advance the California HIE federal audacious goal – Personal Health Records for Children in Foster Care.
- Provided a forum for successful data linkages and information sharing efforts to be presented, discussed, and disseminated.



- Supported current efforts within the California Department of Social Services (CDSS) to improve service delivery through information sharing. Provided feedback on Child Welfare Services (CWS) New System Project, supported data linkage projects between CDSS and other state agencies, and studied horizontal integration efforts.
- Continued to work with state agencies, the courts, counties, philanthropy, and academia to promote data linkages that further knowledge about California's children and families. Presented and discussed the results of three studies using linked CWS/CMS data, which provided key information about risk factors for involvement in Child Protective Services before age 5; educational outcomes for children in foster care; and parenting among adolescents and young women with histories of CPS involvement.

### **Concerns and Challenges**

There continues to be limited funding available to promote interoperability and information exchange and many uncertainties remain. Realignment from the state to the county level continues to pose challenges for achieving uniform information-sharing policies and practices. Procurement for a new child welfare case management system is in process; the Committee will continue to work on ensuring that the new system incorporates national data standards and an interoperable design.

### **2014 –15 Goals**

The Committee will continue to clarify and disseminate State policy on the importance of data integration and information sharing:

- Provide a forum to discuss the opportunities and challenges to data linkage projects, data integration, and information sharing
- Disseminate the Council's Statement on Information Sharing, Data Standardization and Interoperability to child welfare services and probation at both state and local levels, other health and human services agencies and the courts.
- Participate in the statewide interoperability planning taking place through the California State Systems Interoperability and Integration Project, including support to project subcommittees
- Consult with the Assembly Human Services Committee and staff as it considers legislation on interoperability and information sharing.
- Emphasize the urgency of interoperability given the critical nature of this time period in terms of data systems and data exchanges.

The Committee will continue to examine policy and practice barriers to information sharing and make recommendations to the Council on measures to overcome the barriers. This includes continuing to discuss information sharing barriers – at both the local and statewide levels – and developing recommendations to overcome the barriers. It also includes discussing ways to dispel misconceptions and myths regarding data linkage and information sharing.

The Committee will identify common technology standards and strategies to maximize the sharing of information resources. This includes investigating opportunities to enhance information sharing opportunities, even learning from those occurring outside of health and human services. It also includes providing localized support, guidance and technical assistance to local courts and counties to overcome barriers to information sharing and advance interoperability.

The Committee will discuss ways to coordinate and leverage existing state investments in data and information resources, including identifying funding sources for data linkages, and also continuing to support the State's "audacious" HIE goal of Personal Health Records for Children in Foster Care

The Committee will provide technical assistance/consultation to other Council Committees and task forces regarding data issues and collaborate to increase the visibility of the Child Welfare Council across the state.



## The Work of Task Forces

In addition to the Standing Committees, the Co-Chairs are authorized to appoint ad hoc groups to address issues that are germane to the work of the full Council. Initially, two task forces were formed: the *Prioritization Task Force* and the *Out-of-County Mental Health Work Group*. In 2012, the Co-Chairs established a third group to coordinate the Council's work with a commission that shares several members with the Council: the *Collaboration with the Californian Blue Ribbon Commission on Children in Foster Care Task Force*. In June 2013, the Council formed another ad hoc group: the *Commercially Sexually Exploited Children Action Team*. The following pages summarize the achievements, challenges, and goals for these ad hoc groups.

### Priority Access to Services and Supports (PASS) Task Force

#### Background and Purpose

The California Child Welfare Council recognizes the importance of reuniting families who are in the Child Welfare system and keeping those families together. Doing so requires that parents receive the services and supports they need in order to provide their children a safe, stable, nurturing home. The Council established the Prioritization Task Force to:

*Develop strategies to ensure that families involved in the Child Welfare system, or those at risk of becoming involved, have priority access to resources and services provided by state and local government, nonprofit agencies, and other providers of essential services.*

The Council instructed the Task Force to focus its initial efforts primarily on a key subpopulation – children and families involved in the Child Welfare system who have a reunification plan and who continue in the dependency system post-reunification. To keep these families together often requires supports and services that may include mental health, drug and alcohol treatment, housing, employment, community transition, and other family strengthening services.

Priority access, defined as timely access to targeted services and supports, is vital for families who have had a child removed and placed in foster care. The ultimate goal of priority access to services is to increase safe, timely family reunification without reentry, (or with reduced reentry). Supporting goals include the implementation of policies that address systems integration and practices that provide for appropriate dose and duration of services for parents of children in family reunification.

#### 2013 – 14 Activities and Accomplishments

- (1) Convening of State and County Partners for Joint Action Planning. On January 30, 2014, the PASS Convening brought together agency leaders and team members, along with other key partners, to discuss the ideas already developed by the teams and continue developing Action Plans for each service area. The Convening also focused on coordination of activities across service delivery systems, and formally established the PASS Leadership Team to lead and oversee the Initiative.
  - Secretary Diana Dooley and Justice Vance Raye hosted leaders across state agencies to plan for priority access in light of the clear legal, moral, and fiscal obligation held by the State with regard to children who are in the foster care system. **The key outcome of the convening was foundations for an action plan to implement priority access to services and supports for parents whose children are in foster care so that the family can be safely reunified.**
  - Under state and federal requirements, family reunification is the first option for securing a permanent family for children. More importantly, it prevents the children from suffering the emotional trauma associated with the loss of their parents.
- (2) Priority Access (PASS) Inter-Agency Leadership Team. The PASS Leadership Team provides overall leadership of the PASS initiative and is accountable to report to the Child Welfare Council. It also is in the process of

aligning statewide policy and systems for priority access and will coordinate the development of an integrated PASS Action Plan. The PASS Inter-Agency Leadership Team will focus on leveraging existing opportunities while addressing barriers as they are identified.

- (3) PASS Action Teams. Agency teams representing mental health, substance use disorders, housing, workforce, and corrections/probation were formed with representatives from the state agencies responsible for these services, as well as local partners and others. The teams identified current prioritization activities and began developing ideas to increase priority access for reunification families.

### **Concerns and Challenges**

Collective Impact. The key elements needed for collective impact around priority access are in place (common agenda; mutually reinforcing activities; shared measurement; continuous communication; and backbone organization), however worthy, yet competing priorities of partner agencies may threaten sustainability of the effort if focus is not maintained.

Identification of Clients/Families in Common. Significant work has been done to facilitate information sharing and data integration across systems, however more needs to be done to expedite timely identification while maintaining appropriate confidentiality.

Support for Systems Navigation. Families benefit greatly from a combination of professional and peer support. Most systems assign case managers or care coordinators to new clients, and the challenge will be to expand this role to cross-systems coordination. Former consumers of the services parents in reunification are seeking make excellent peer navigators, however, more need to be screen and trained.

Priority Access Toolkit and Technical Assistance. Staff across agencies providing priority access to families in reunification have requested tools to assist them, including policy briefs and step-by-step desk guides. A website supported by “live” technical assistance could be one way to meet this need.

### **2014 –15 Goals**

- (1) Develop PASS Agency Action Plans: Each of the agencies providing the key services listed above will finalize an Action Plan to provide priority access for child welfare families in reunification.
- (2) Statewide Systems Implementation: The PASS Inter-Agency Leadership Team will address systemic barriers identified by Agency Teams (for example, enabling each service delivery system to identify child welfare reunification families upon screening and intake; expediting enrollment in programs that provide needed services; case management across service delivery systems; integrating state and local government as well as nonprofit agency services to meet the needs of reunification families).
- (3) Explore the feasibility of expanding prioritization to other child welfare populations, beyond families in reunification, including prevention and early intervention.

## **Out-of-County Mental Health Services Task Force**

### **Background and Purpose**

Section 5777.6 of the Welfare and Institutions Code, enacted in 2000, requires:

- Local mental health plans to establish a procedure to ensure timely access to outpatient specialty mental health services for foster care children placed outside of their counties of origin (the county in which the Juvenile Dependency Court has jurisdiction).
- The Department of Mental Health to “collect and keep statistics that will enable the department to compare access to outpatient specialty mental health services by foster children placed in their county of adjudication

with access to outpatient specialty mental health services by foster children placed outside of their county of adjudication.”

Over the subsequent 12 years, various measures have been put in place by the Department of Mental Health (now housed within the Department of Health Care Services) and the Legislature to further facilitate access to mental health services by foster children who reside outside their county of origin. Despite these efforts, the Child Welfare Council noted that inequities existed and payment systems between counties did not always work efficiently.

In December 2010, the Council approved the formation of a Work Group to take up the following four overarching issues that must be addressed in order to improve access to out-of-county mental health services statewide, with the directive that medically necessary mental health services for foster children residing out of their counties of court jurisdiction would be *presumptively transferred* to their respective counties of residence:

- (4) Identification, screening and communication.
- (5) Authorization and payment.
- (6) Provision of services and capacity.
- (7) Outcomes and accountability.

The Work Group presented a report of its activities and accomplishments to the full Council at its December 2011 meeting and recommended that the Katie A Settlement Implementation Committee would be the appropriate vehicle for addressing the following components of out-of-county mental health services system: statewide use of screening and assessment tools at intake, case management practices, treatment planning and coordination of care, and Outcomes and accountability.

### **2013 – 14 Activities and Accomplishments**

At each quarterly meeting, representatives from the California Departments of Health Care Services provided updates on the status of implementing the Katie A Settlement, which includes medically necessary mental health services for children living outside their county of jurisdiction. The settlement was still a work in progress at the end of the fiscal year and continued to be monitored by the court under the direction of a Special Master.

### **Concerns and Challenges**

Despite considerable efforts over the years by multiple task forces, including this one, a complete solution to presumptive transfer and inter-county payments for foster children’s mental health services has not yet been fully achieved, although the efforts of the past year show promise of success when the provisions of the Katie A Settlement are fully implemented.

### **2014 – 15 Goals**

The Katie A Settlement Oversight Committee will continue to implement the Settlement and the Department of Health Care Services will update the Council quarterly on progress made.

## **Collaboration with the California Blue Ribbon Commission for Children in Foster Care**

### **Background and Purpose**

There has been significant overlap in the membership of the Council and the Blue Ribbon Commission (BRC). Because both bodies have similar charges, they formed a crossover working group to coordinate and collaborate efforts. This was intended to avoid duplication and leverage the greatest impact from the work that both bodies have been pursuing in common, e.g., the California Chief Justice’s Keeping Kids in School and Out of Court Initiative; permanency and reunification efforts; and data and information sharing. This collaboration has come to an end with the sunset of the BRC at the end of June 2014.

### 2013 – 14 Activities and Accomplishments

The joint working group coordinated closely in three areas:

- Permanency and reunification work; the BRC has formally asked the Council to accept its recommendations on permanency that have not been implemented to consider for action and implementation when possible—those recommendations are squarely in line with the work of the Council;
- Data and information sharing work; the BRC has formally requested that the Council accept its recommendations on data and information sharing that have not been implemented for action and implementation when possible—those recommendations, too, are squarely in line with the Council’s work on this issue; and
- The Chief Justice’s Keeping Kids in School and Out of Court Initiative was an effort by the BRC that involved members of the Council as well as the BRC—that effort led to a very successful summit attended by multidisciplinary teams from 32 of California’s 58 counties that spent two days absorbing the issues involved in improving school climate and addressing school discipline policies that can push children and youth out of school and into the juvenile justice or criminal systems. The Chief Justice has pledged continued support and assistance to local county teams, and that work will continue under the auspices of a steering committee that reports directly to the Chief Justice. The steering committee includes members of the Council, former members of the BRC, and others.

### Concerns and Challenges

Since the BRC was the only court-focused and court-led initiative in California addressing the systemic needs of the foster care and juvenile court systems, there is a concern that the focus on needed court reforms and court-led leadership for system reform will not be addressed with the same energy going forward.

### 2014 – 15 Goals

This working group no longer exists because the BRC sunsetted as planned on June 30, 2014. The two years of coordinating efforts between the two entities have established working relationships so that areas of crossover can continue to attract the interest and focused efforts of the Council, leading to further collaborative efforts on behalf of foster youth and their families.

## **Commercially Sexually Exploited Children (CSEC) Action Team**

### Background and Purpose

A work group of the Child Development and Successful Youth Transitions Committee studied the issue of children in the child welfare and foster care system being commercially sexually exploited, or at risk of being exploited. In March 2013, the work group released its report, *“Ending the Commercial Sexual Exploitation of Children: A Call for Multi-System Collaboration in California.”*

In June the Council unanimously adopted the report’s recommendations, and established a Commercially Sexually Exploited Children (CSEC) Action Team to further develop and implement them. (For additional information regarding the Council and CSEC, see p. 7 under The Council’s Major Accomplishments.)

### 2013 – 14 Activities and Accomplishments

Goals for 2013-14 were to fully establish the CSEC Action Team and subcommittee structure, to include developing a strategic plan with objectives and action plans for each of the four areas identified in the report and the CSEC Project Plan; and to begin implementing the “Immediate Actions” that were identified in the CSEC Project Plan. These goals were accomplished as follows:

- The **CSEC Action Team** was fully established and members were appointed, which meets quarterly right after the Child Welfare Council meeting with Secretary Dooley and Leslie Heimov serving as co-chairs.

- Four subcommittees were formed to cover the work of the team's four focus groups: Prevalence and Assessment; Prevention and Training; Specialized Services; and Multi-System and Data Coordination.
- Each of the subcommittees developed and adopted a strategic plan with goals, objectives, and action steps.
- Each of the subcommittees also began working on those areas of immediate action that had been identified by the CSEC workgroup:
  - **Prevalence and Assessment** worked on (1) conducting an initial assessment to gauge the prevalence of CSEC in Child welfare, juvenile justice, and other child-serving systems by sending a comprehensive CSEC survey to the heads of 13 different agencies to send to their membership/constituents—that survey is out and the results are expected in by September 2014; and (2) on identifying the best available screening/assessment tools for eventual distribution among child-serving systems—that process of identification is currently underway.
  - **Prevention and Training** began working to decrease the number of children who are CSE in California through better identification of at risk youth, and more available preventions programs, including those that raise awareness and educate youth and adults. Its focus is on making training available on how to identify CSEC and at-risk children, and how to refer to/provide CSEC services, etc. to professionals in child welfare, juvenile justice, and other child-serving systems. The development of those training programs, along with programs to ensure better identification of at-risk youth and for prevention is underway.
  - **Specialized Services** is working to ensure that CSE children and youth will have access to specialized services and a continuum of placements so that they are safe, have an opportunity to overcome trauma, and thrive by beginning the work of developing a model for statewide implementation that provides guidance on specialized services and protocol for CSEC, and to create a continuum of placement options for CSEC. That work is underway.
  - **Multi-System and Data Coordination** is focused on multi-system collaborative approaches to coordinating service delivery, and reducing trauma and duplication of services by collecting and sharing data and information consistent with rules of confidentiality and privacy. To achieve that outcome it is working to develop multi-system mechanisms and infrastructure for collaboration among CSEC providers, public agencies, and other stakeholders, while building upon structures, processes, and relationships already in place; and it is developing model data sharing agreements that protect confidentiality while providing essential information to agencies and services providers at the individual level, and that allow for data to be aggregated without client identifiers for program evaluation purposes.
- The **CSEC Action Team** successfully sought grant funding for this state's CSEC work from the Zellerbach Family Foundation and the California Office of Child Abuse Prevention, and has a pending federal grant application to the Administration for Children and Families. The grants have been made possible through fiscal sponsorship by the National Center on Youth Law and the Children's Law Center.

### Concerns and Challenges

The biggest challenge to moving forward quickly on implementation has been the need to develop resources to do the work. Early funding from the Zellerbach Family Foundation paid for some much needed staff support for the work, and just recently a grant from the California Office of Child Abuse Prevention has further eased that challenge. In addition, a pending federal grant application, if successful, would ensure the ability to provide ongoing work and support for these efforts for the next five years. This early grant development can likely be partly attributed to a growing concern and interest about the CSEC issue by state, local, and national opinion and thought leaders.

### 2014 – 15 Goals

- Continue the subcommittee work that has begun on each strategic plan, with more concrete progress on each of the identified goals.
- Continue meeting the requirements of the funding that has been secured; and continue to identify and secure funding to ensure that there are sufficient resources to fully implement the recommendations in the original work group report.

## Conclusion

The California Child Welfare Council brings together leaders from multiple agencies across all three branches of government at the state and local level, as well as service providers, advocates, recipients of services, and other stakeholders. The Council and its subgroups provide an opportunity that is both significant and uncommon in government to achieve interagency collaboration, creative problem solving, and systems improvement.

In its quest to improve the child welfare system the Council has taken on the issues described in this report, many of which have long perplexed policy makers, administrators, courts, service providers and, most of all, families and children who are the recipients of services. By bringing together the many disciplines involved in child welfare as well as consumers and advocates, the Council generates meaningful discussion of these difficult issues. It also promotes the development of solutions that have the greatest likelihood of success in the real world, having been developed by people who have an in-depth understanding of the issues from personal experience. Furthermore, the likelihood of success is enhanced because consideration has been given to the perspectives of the many players who must be part of implementing any solution.

At the same time these complex, cross-cutting issues defy simple or quick solutions. Rather, they require thoughtful minds to gather information, discuss the nature of the issues, brainstorm strategies to address them, apply science and compassion in designing solutions, and develop practical ways to implement improved services and support structures. This process takes time because involvement of many agencies and their respective constituencies is essential. Well-functioning multi-system collaborations remain an elusive goal, but one that nevertheless remains first and foremost in the work of the Council, true to the vision of its creators.