

Attachment C

Title IV-B, subpart 1 Assurances

The assurances listed below are in 45 CFR 1357.15(c) and title IV-B, subpart 1, sections 422(b)(8), 422(b)(10), and 422 (b)(14) of the Social Security Act (Act). These assurances will remain in effect during the period of the current five-year Child and Family Services Plan (CFSP).

1. The State/Tribe assures that it is operating, to the satisfaction of the Secretary:
 - a. A statewide information system from which can be readily determined the status, demographic characteristics, location, and goals for the placement of every child who is (or, within the immediately preceding 12 months, has been) in foster care;
 - b. A case review system (as defined in section 475(5) of the Act) for each child receiving foster care under the supervision of the State/Tribe;
 - c. A service program designed to help children:
 - i. Where safe and appropriate, return to families from which they have been removed; or
 - ii. Be placed for adoption, with a legal guardian, or, if adoption or legal guardianship is determined not to be appropriate for a child, in some other planned, permanent living arrangement which may include a residential educational program; and
 - d. A preplacement preventative services program designed to help children at risk of foster care placement remain safely with their families.
2. The State/Tribe assures that it has in effect policies and administrative and judicial procedures for children abandoned at or shortly after birth (including policies and procedures providing for legal representation of the children) which enable permanent decisions to be made expeditiously with respect to the placement of the children.
3. The State/Tribe assures that it shall make effective use of cross-jurisdictional resources (including through contracts for the purchase of services), and shall eliminate legal barriers, to facilitate timely adoptive or permanent placements for waiting children.
4. The State/Tribe assures that not more than 10 percent of the expenditures of the State/Tribe with respect to activities funded from amounts provided under this subpart will be for administrative costs.
5. The State/Tribe assures that it will participate in any evaluations the Secretary of HHS may require.

6. The State/Tribe assures that it shall administer the Child and Family Services Plan in accordance with methods determined by the Secretary to be proper and efficient.

Effective Date and Official Signature

I hereby certify that the State/Tribe complies with the requirements of the above assurances.

Certified by: _____

Title: _____

Agency: _____

Dated: _____

Reviewed by: _____

(ACF Regional Representative)

Dated: _____

Title IV-B, subpart 2 Assurances

The assurances listed below are in 45 CFR 1357.15(c) and title IV-B, subpart 2, sections 432(a)(2)(C), 432(a)(4), 432(a)(5), 432(a)(7) and 432(a)(9) of the Social Security Act (Act). These assurances will remain in effect during the period of the current five-year CFSP.

1. The State/Tribe assures that after the end of each of the 1st 4 fiscal years covered by a set of goals, it will perform an interim review of progress toward accomplishment of the goals, and on the basis of the interim review will revise the statement of goals in the plan, if necessary, to reflect changed circumstances.
2. The State/Tribe assures that after the end of the last fiscal year covered by a set of goals, it will perform a final review of progress toward accomplishments of the goals, and on the basis of the final review:
 - a. Will prepare, transmit to the Secretary, and make available to the public a final report on progress toward accomplishment of the goals; and
 - b. Will develop (in consultation with the entities required to be consulted pursuant to subsection 432(b)) and add to the plan a statement of the goals intended to be accomplished by the end of the 5th succeeding fiscal year.
3. The State/Tribe assures that it will annually prepare, furnish to the Secretary, and make available to the public a description (including separate descriptions with respect to family preservation services, community-based family support services, time-limited family reunification services, and adoption promotion and support services) of:
 - a. The service programs to be made available under the plan in the immediately succeeding fiscal year;
 - b. The populations which the programs will serve; and
 - c. The geographic areas in the State/Tribe in which the services will be available.
4. The State/Tribe assures that it will perform the annual activities in the 432(a)(5)(A) in the first fiscal year under the plan, at the time the State/Tribe submits its initial plan, and in each succeeding fiscal year, by the end of the third quarter of the immediately preceding fiscal year.
5. The State/Tribe assures that Federal funds provided under subpart 2 will not be used to supplant Federal or non-Federal funds for existing services and activities which promote the purposes of subpart 2.
6. The State/Tribe will furnish reports to the Secretary, at such times, in such format, and containing such information as the Secretary may require, that demonstrate the State's/Tribe's compliance with the prohibition contained in 432(a)(7)(A) of the Act.

7. The State/Tribe assures that in administering and conducting service programs under the subpart 2 plan, the safety of the children to be served shall be of paramount concern.

8. The State/Tribe assures that it will participate in any evaluations the Secretary of HHS may require.

9. The State/Tribe assures that it shall administer the Child and Family Services Plan in accordance with methods determined by the Secretary to be proper and efficient.

STATE ONLY:

10. The State assures that not more than 10 percent of expenditures under the plan for any fiscal year with respect to which the State is eligible for payment under section 434 of the Act for the fiscal year shall be for administrative costs, and that the remaining expenditures shall be for programs of family preservation services, community based support services, time limited family reunification services, and adoption promotion and support services, with significant portions of such expenditures for each such program.

Effective Date and Official Signature

I hereby certify that the State/Tribe complies with the requirements of the above assurances.

Certified by: _____

Title: _____

Agency: _____

Dated: _____

Reviewed by: _____

(ACF Regional Representative)

Dated: _____

Child Abuse and Neglect Prevention and Treatment State Plan Assurances

State Chief Executive Officer's Assurance Statement for The Child Abuse and Neglect State Plan

As Chief Executive Officer of the State of Wisconsin, I certify that the State has in effect and is enforcing a State law, or has in effect and is operating a Statewide program, relating to child abuse and neglect which includes:

1. provisions or procedures for reporting known or suspected instances of child abuse and neglect (section 106(b)(2)(A)(i) of the Child Abuse Prevention and Treatment Act (CAPTA), as amended);
2. policies and procedures (including appropriate referrals to child protection service systems and for other appropriate services) to address the needs of infants born and identified as affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure, including a requirement that health care providers involved in the delivery or care of such infants notify the child protective services system of the occurrence of such condition in such infants (section 106(b)(2)(A)(ii) of CAPTA);
3. the development of a plan of safe care for the infant born and identified as being affected by illegal substance abuse or withdrawal symptoms (section 106(b)(2)(A)(iii) of CAPTA);
4. procedures for the immediate screening, risk and safety assessment, and prompt investigation of such reports (section 106(b)(2)(A)(iv) of CAPTA);
5. triage procedures for the appropriate referral of a child not at risk of imminent harm to a community organization or voluntary preventive service (section 106(b)(2)(A)(v) of CAPTA);
6. procedures for immediate steps to be taken to ensure and protect the safety of the abused or neglected child, and of any other child under the same care who may also be in danger of abuse or neglect; and ensuring their placement in a safe environment (section 106(b)(2)(A)(vi) of CAPTA);
7. provisions for immunity from prosecution under State and local laws and regulations for individuals making good faith reports of suspected or known instances of child abuse or neglect (section 106(b)(2)(A)(vii) of CAPTA);
8. methods to preserve the confidentiality of all records in order to protect the rights of the child and of the child's parents or guardians, including requirements ensuring that reports and records made and maintained pursuant to the purposes of CAPTA shall only be made available to--
 - a. individuals who are the subject of the report;
 - b. Federal, State, or local government entities, or any agent of such entities, as described in number 9 below;
 - c. child abuse citizen review panels;
 - d. child fatality review panels;
 - e. a grand jury or court, upon a finding that information in the record is necessary for the determination of an issue before the court or grand jury; and

- f. other entities or classes of individuals statutorily authorized by the State to receive such information pursuant to a legitimate State purpose (section 106(b)(2)(A)(viii) of CAPTA);
9. provisions to require a State to disclose confidential information to any Federal, State, or local government entity, or any agent of such entity, that has a need for such information in order to carry out its responsibility under law to protect children from abuse and neglect (section 106(b)(2)(A)(ix) of CAPTA);
10. provisions which allow for public disclosure of the findings or information about the case of child abuse or neglect which has resulted in a child fatality or near fatality (section 106(b)(2)(A)(x) of CAPTA);
11. the cooperation of State law enforcement officials, court of competent jurisdiction, and appropriate State agencies providing human services in the investigation, assessment, prosecution, and treatment of child abuse or neglect (section 106(b)(2)(A)(xi) of CAPTA);
12. provisions requiring, and procedures in place that facilitate the prompt expungement of any records that are accessible to the general public or are used for purposes of employment or other background checks in cases determined to be unsubstantiated or false, except that nothing in this section shall prevent State child protective services agencies from keeping information on unsubstantiated reports in their casework files to assist in future risk and safety assessment (section 106(b)(2)(A)(xii) of CAPTA);
13. provisions and procedures requiring that in every case involving an abused or neglected child which results in a judicial proceeding, a guardian ad litem, who has received training appropriate to the role, and who may be an attorney or a court appointed special advocate who has received training appropriate to that role (or both), shall be appointed to represent the child in such proceedings-
 - a. to obtain firsthand, a clear understanding of the situation and needs of the child; and
 - b. to make recommendations to the court concerning the best interests of the child (section 106(b)(2)(A)(xiii) of CAPTA);
14. the establishment of citizen review panels in accordance with subsection 106(c) (section 106(b)(2)(A)(xiv) of CAPTA);
15. provisions, procedures, and mechanisms -
 - a. for the expedited termination of parental rights in the case of any infant determined to be abandoned under State law; and
 - b. by which individuals who disagree with an official finding of abuse or neglect can appeal such finding (section 106(b)(2)(A)(xv) of CAPTA);
16. provisions, procedures, and mechanisms that assure that the State does not require reunification of a surviving child with a parent who has been found by a court of competent jurisdiction--
 - a. to have committed a murder (which would have been an offense under section 1111(a) of title 18, United States Code, if the offense had occurred in the special maritime or territorial jurisdiction of the United States) of another child of such parent;
 - b. to have committed voluntary manslaughter (which would have been an offense under section 1112(a) of title 18, United States Code, if the offense had occurred

- in the special maritime or territorial jurisdiction of the United States) of another child of such parent;
- c. to have aided or abetted, attempted, conspired, or solicited to commit such murder or voluntary manslaughter; or
 - d. to have committed a felony assault that results in the serious bodily injury to the surviving child or another child of such parent (section 106(b)(2)(A)(xvi) of CAPTA);
17. provisions that assure that, upon the implementation by the State of the provisions, procedures, and mechanisms under number 16 above, conviction of any one of the felonies listed in number 16 above constitute grounds under State law for the termination of parental rights of the convicted parent as to the surviving children (section 106(b)(2)(A)(xvii) of CAPTA);
 18. provisions and procedures to require that a representative of the child protective services agency shall, at the initial time of contact with the individual subject to a child abuse and neglect investigation, advise the individual of the complaints or allegations made against the individual, in a manner that is consistent with laws protecting the rights of the reporter (section 106(b)(2)(A)(xviii) of CAPTA);
 19. provisions addressing the training of representatives of the child protective services system regarding the legal duties of the representatives, which may consist of various methods of informing such representatives of such duties, in order to protect the legal rights and safety of children and families from the initial time of contact during investigation through treatment (section 106(b)(2)(A)(xix) of CAPTA);
 20. provisions and procedures for improving the training, retention and supervision of caseworkers (section 106(b)(2)(A)(xx) of CAPTA);
 21. provisions and procedures for referral of a child under the age of 3 who is involved in a substantiated case of child abuse or neglect to early intervention services funded under part C of the Individuals with Disabilities Education Act (section 106(b)(2)(A)(xxi) of CAPTA);
 22. provisions and procedures for requiring criminal background checks for prospective foster and adoptive parents and other adult relatives and non-relatives residing in the household (section 106(b)(2)(A)(xxii) of CAPTA);
 23. procedures for responding to the reporting of medical neglect (including instances of withholding of medically indicated treatment from disabled infants with life-threatening conditions), procedures or programs, or both (within the State child protective services system), to provide for--
 - a. coordination and consultation with individuals designated by and within appropriate health care facilities;
 - b. prompt notification by individuals designated by and within appropriate health-care facilities of cases of suspected medical neglect (including instances of withholding of medically indicated treatment from disabled infants with life-threatening conditions); and
 - c. authority, under State law, for the State child protective services system to pursue any legal remedies, including the authority to initiate legal proceedings in a court of competent jurisdiction, as may be necessary to prevent the withholding of medically indicated treatment from disabled infants with life-threatening conditions (section 106(b)(2)(B) of CAPTA);

24. an assurance that the programs or projects relating to child abuse and neglect carried out under part B of title IV of the Social Security Act comply with the requirements in 106(b)(1) and (2) of CAPTA; and
25. authority under State law to permit the child protective services system of the State to pursue any legal remedies, including the authority to initiate legal proceedings in a court of competent jurisdiction, to provide medical care or treatment for a child when such care or treatment is necessary to prevent or remedy serious harm to the child, or to prevent the withholding of medically indicated treatments from disabled infants with life-threatening conditions (section 113 of CAPTA).

Signature of Chief Executive Officer:

Date: _____

Reviewed by: _____

(ACF Regional Representative)

Dated: _____

Title IV-E, Section 477 Certifications

Certifications for the Chafee Foster Care Independence Program

As Chief Executive Officer/Tribal Leader of the State/Tribe of Wisconsin, I certify that the State/Tribe has in effect and is operating a Statewide or areawide program pursuant to section 477(b) or (j)(2) relating to the Foster Care Independence Program and that the following provisions to effectively implement the Chafee Foster Care Independence Program are in place:

1. The State/Tribe will provide assistance and services to youth who have left foster care because they have attained 18 years of age, and have not attained 21 years of age [Section 477(b)(3)(A)];
2. Not more than 30 percent of the amounts paid to the State/Tribe from its allotment for a fiscal year will be expended for room and board for youth who have left foster care because they have attained 18 years of age, and have not attained 21 years of age [Section 477(b)(3)(B)];
3. None of the amounts paid to the State/Tribe from its allotment will be expended for room or board for any child who has not attained 18 years of age [Section 477(b)(3)(C)];
4. The State/Tribe has consulted widely with public and private organizations in developing the plan and has given all interested members of the public at least 30 days to submit comments on the plan [Section 477(b)(3)(E)];
5. The State/Tribe will make every effort to coordinate the State/Tribal programs receiving funds provided from an allotment made to the State/Tribe with other Federal, State and Tribal programs for youth (especially transitional living youth projects funded under part B of title III of the Juvenile Justice and Delinquency Prevention Act of 1974); abstinence education programs, local housing programs, programs for disabled youth (especially sheltered workshops), and school-to-work programs offered by high schools or local workforce agencies [Section 477(b)(3)(F)];
6. Adolescents participating in the program under this section will participate directly in designing their own program activities that prepare them for independent living and the adolescents will be required to accept personal responsibility for living up to their part of the program [Section 477(b)(3)(H)]; and
7. The State/Tribe has established and will enforce standards and procedures to prevent fraud and abuse in the programs carried out under the plan [Section 477(b)(3)(I)].

STATE ONLY:

8. The State will use training funds provided under the program of Federal payments for foster care and adoption assistance to provide training to help foster parents, adoptive parents, workers in group homes, and case managers understand and address the issues confronting adolescents preparing for independent living, and will, to the extent possible, coordinate such training with the independent living program conducted for adolescents [Section 477(b)(3)(D)];

9. The State has consulted each Tribe in the State about the programs to be carried out under the plan; there have been efforts to coordinate the programs with such Tribes; and benefits and services under the programs will be made available to Indian youth in the State/Tribe on the same basis as to other youth in the State; and that the State negotiates in good faith with any Indian tribe, tribal organization, or tribal consortium in the State that does not receive an allotment under 477(j)(4) for a fiscal year and that requests to develop an agreement with the State to administer, supervise, or oversee the programs to be carried out under the plan with respect to the Indian children who are eligible for such programs and who are under the authority of the tribe, organization, or consortium and to receive from the State an appropriated portion of the State allotment for the cost of such administration, supervision or oversight [Section 477(b)(3)(G)];

Mark Mangell des. gnee

Signature of Chief Executive Officer or Tribal Leader

July 17, 2009

Date

**State Chief Executive Officer's Certification
for the
Education and Training Voucher Program
Chafee Foster Care Independence Program**

As Chief Executive Officer of the State of Wisconsin, I certify that the State has in effect and is operating a Statewide program relating to the Chafee Foster Care Independence Program:

1. The State will comply with the conditions specified in subsection 477(i).
2. The State has described methods it will use to:
 - ensure that the total amount of educational assistance to a youth under this and any other Federal assistance program does not exceed the total cost of attendance; and
 - avoid duplication of benefits under this and any other Federal assistance program, as defined in section 477(b)(3)(J).

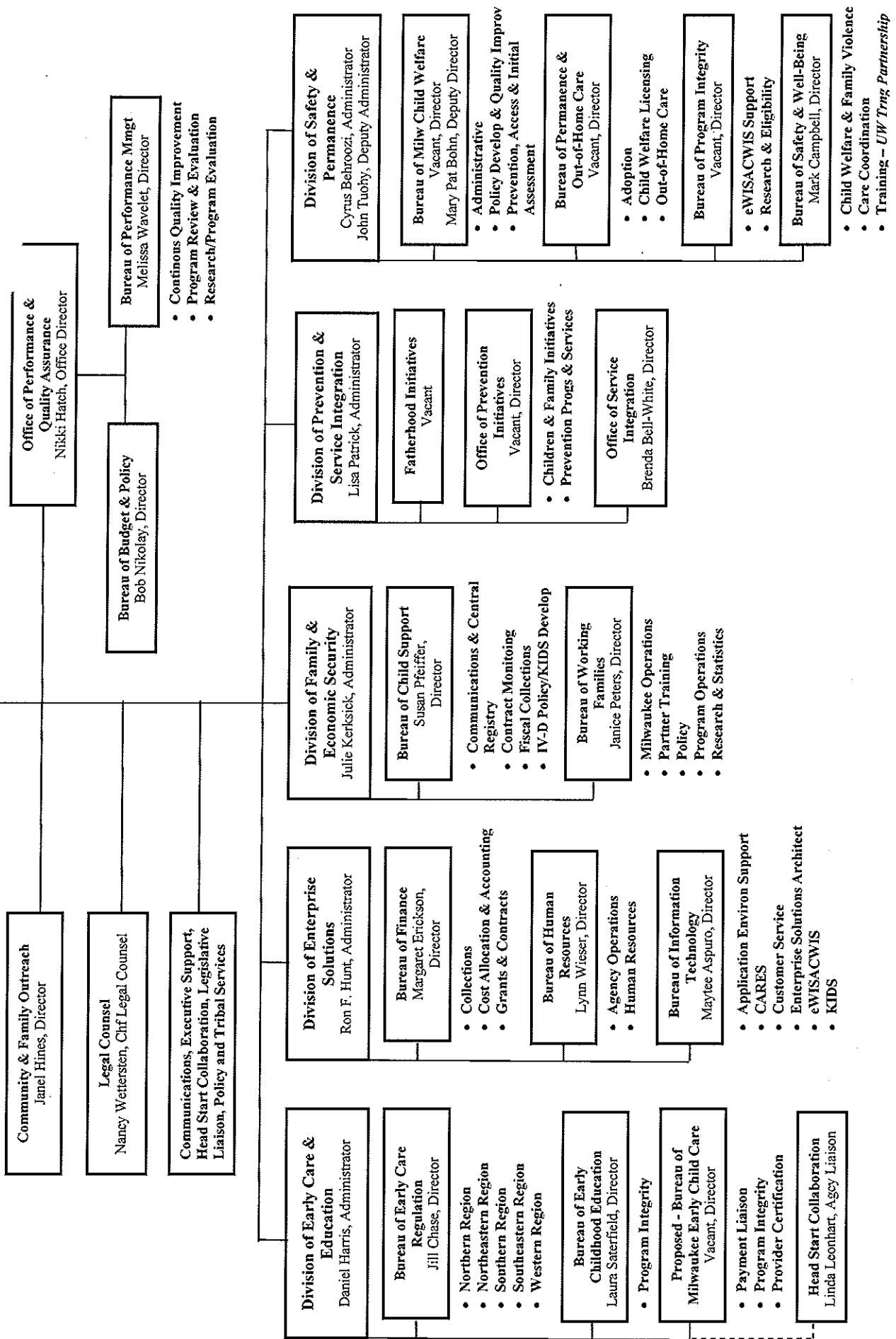
Mark Muffel designee.
Signature of Chief Executive Officer

July 17, 2009
Date

DEPARTMENT OF CHILDREN AND FAMILIES

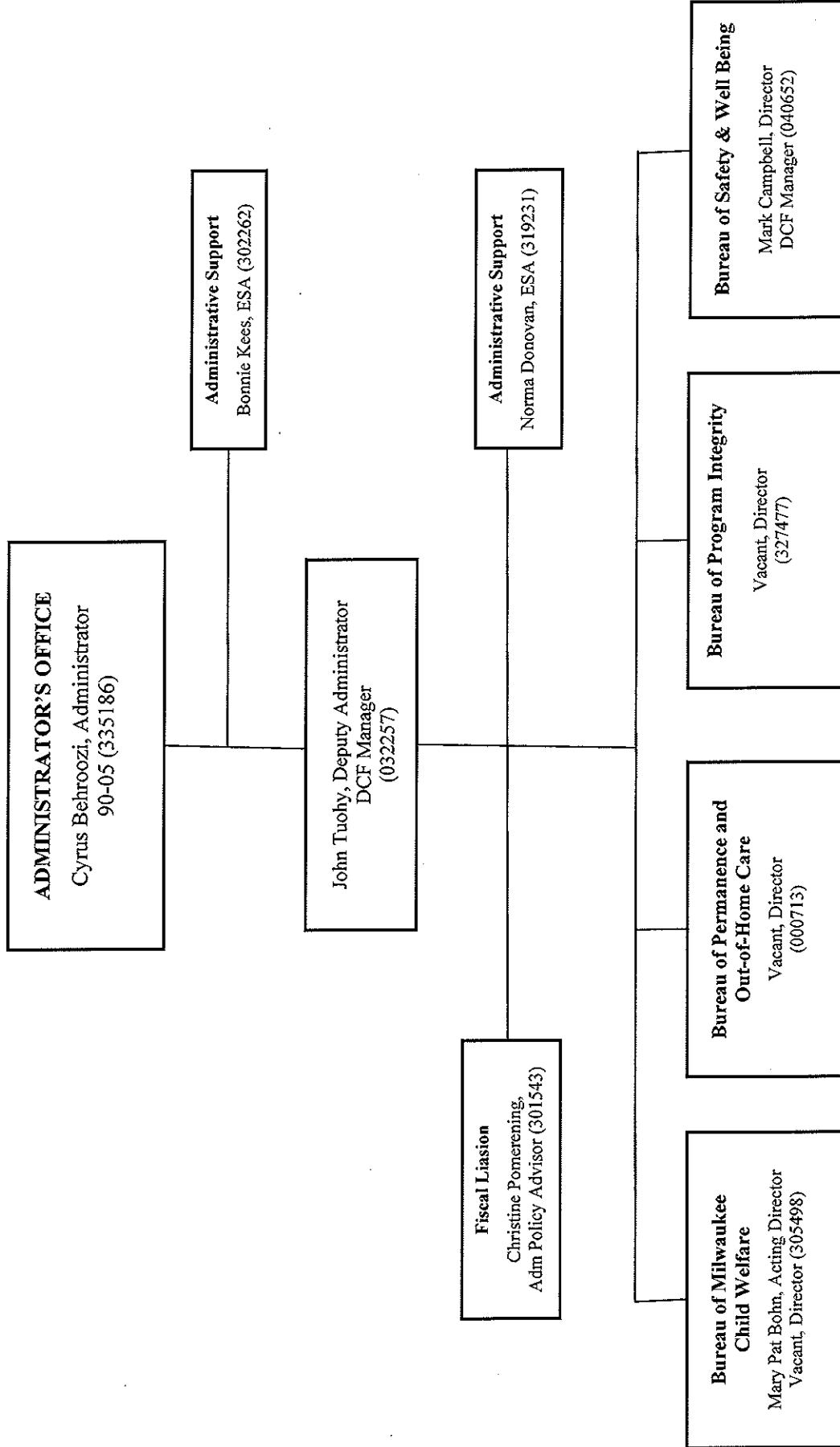
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SECRETARY'S OFFICE
 Reggie Bicha, Secretary
 Henry Wilde, Deputy Secretary
 Angela Russell, Executive Assistant



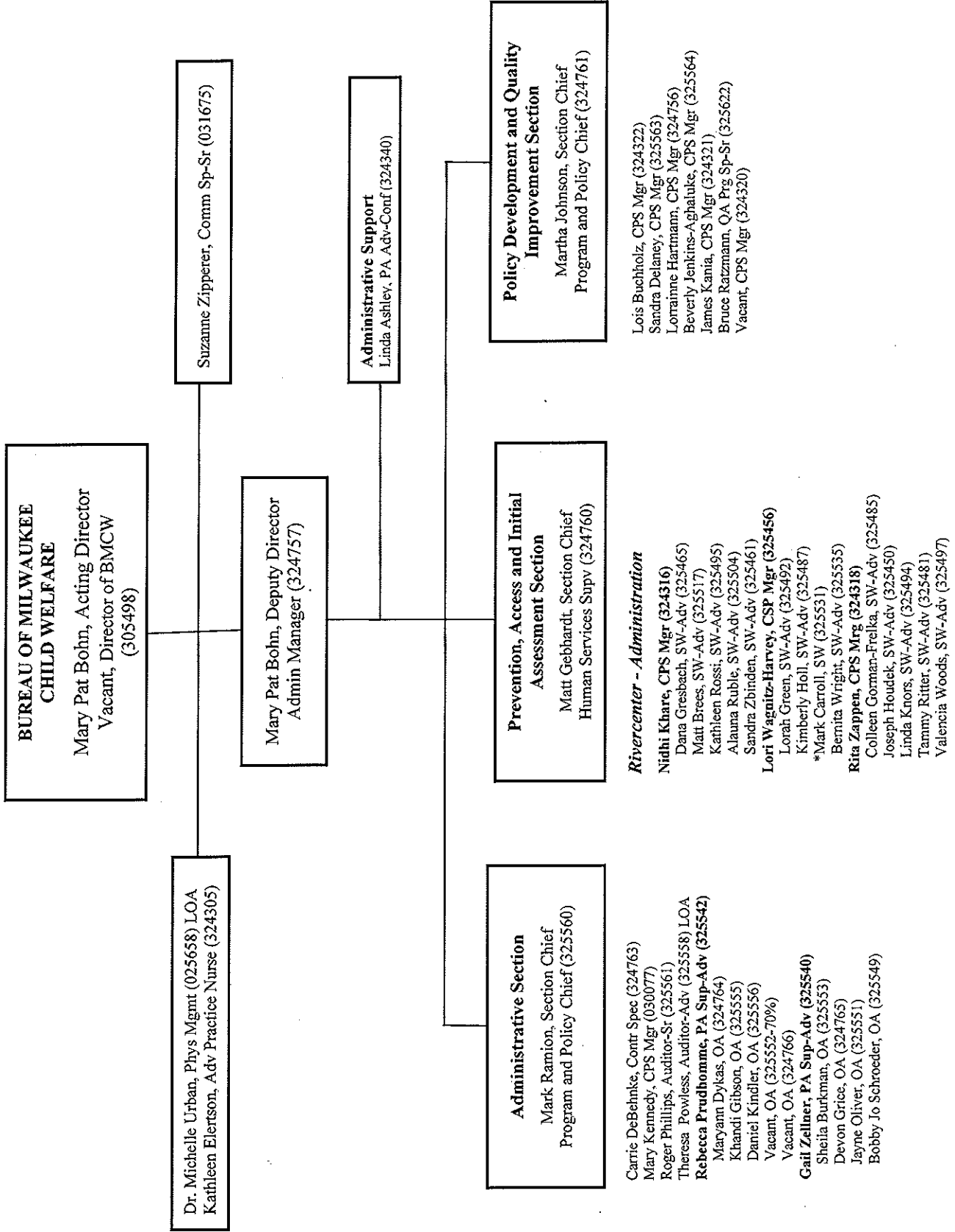
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DIVISION OF SAFETY AND PERMANENCE

06/15/09

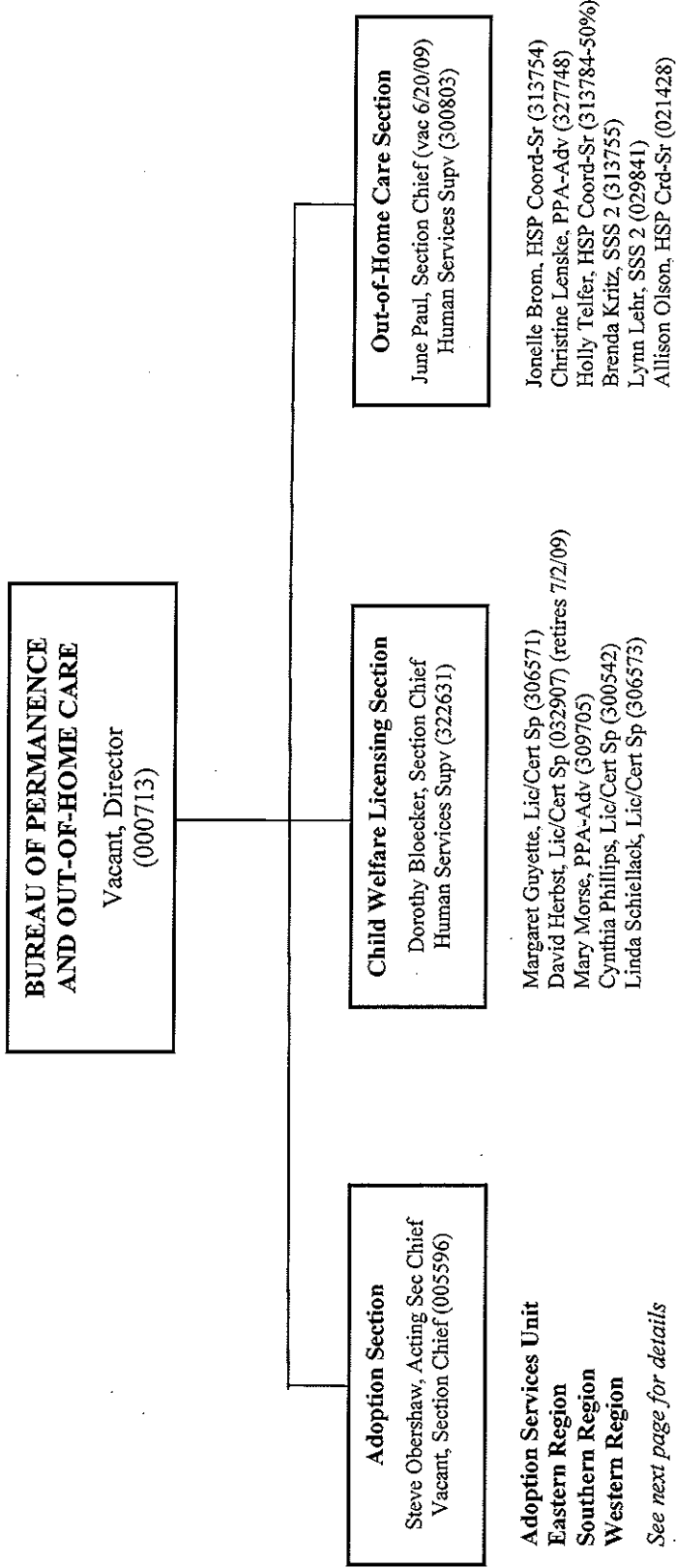


*New employee in training, not permanently assigned yet

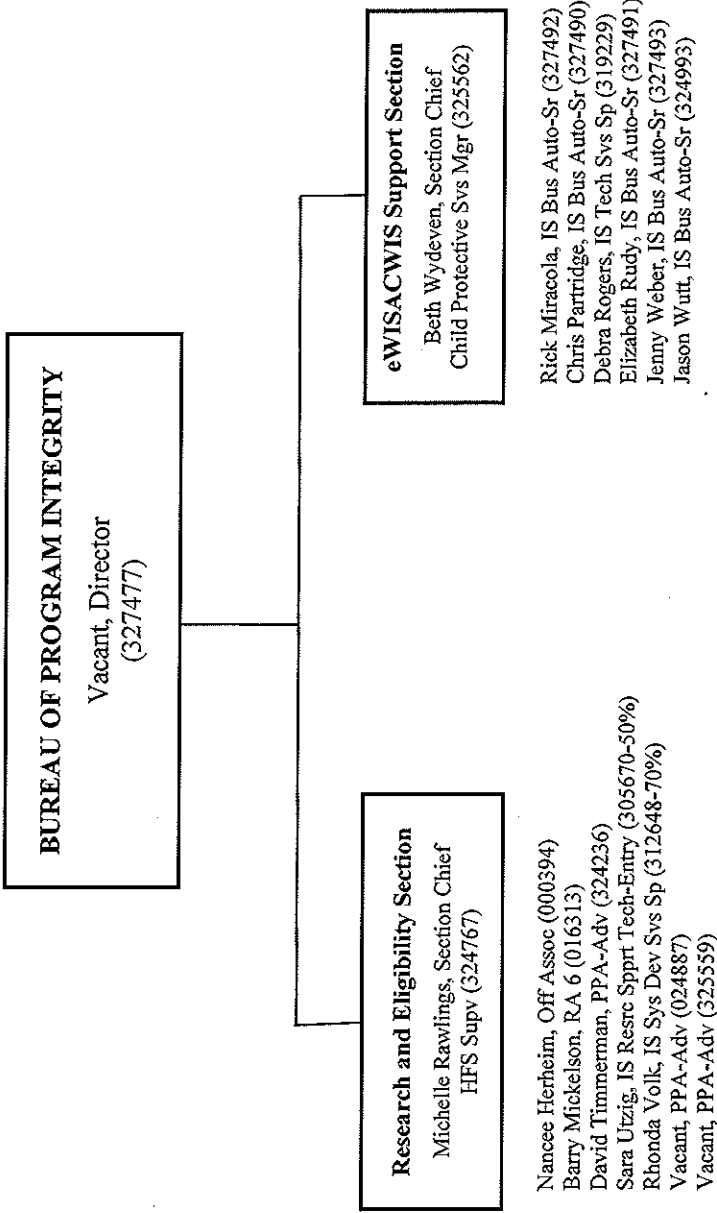
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DIVISION OF SAFETY AND PERMANENCE

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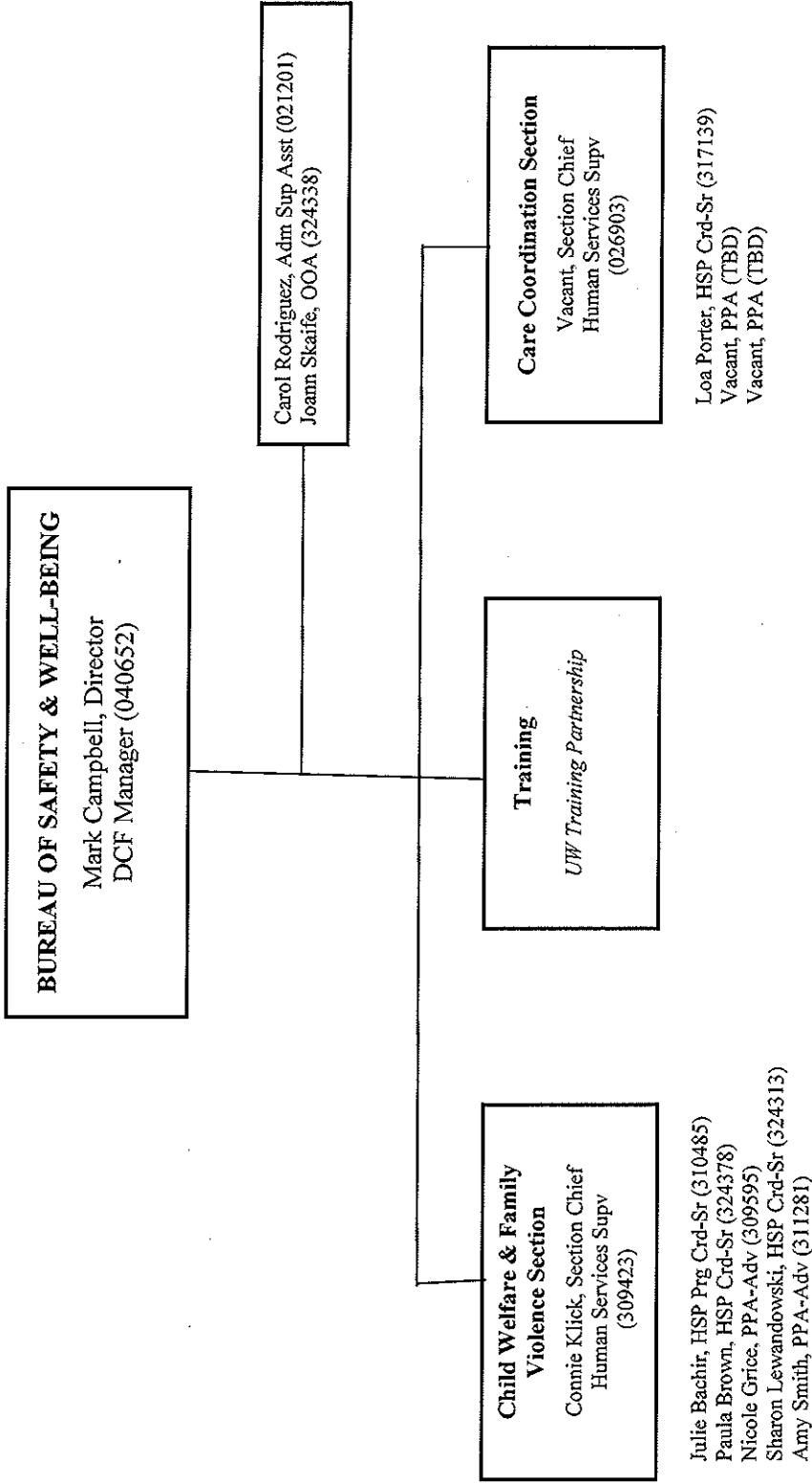


DIVISION OF SAFETY AND PERMANENCE



DIVISION OF SAFETY AND PERMANENCE

6/15/09



Calendar Year 2008 Annual Report

Special Needs Adoption and Permanency
Consultation Program

Prepared by:

Bureau of Permanence and Out-of-Home Care
Division of Safety and Permanence
Wisconsin Department of Children and Families

April 2009

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I. Introduction

The Division of Safety and Permanence (DSP) in the Wisconsin Department of Children and Families (DCF) provides services to ensure permanency for children who reside in out-of-home care when it has been determined that these children cannot be reunified with parents or family members. There are two Bureaus in the DSP that provide permanency services to counties to facilitate the adoption of special needs children. The Bureau of Milwaukee Child Welfare (BMCW) provides permanency services for Milwaukee County children in out-of-home care and the Bureau of Permanence and Out-of-Home Care (BPOHC) provides permanency services to the remaining 71 counties.

In 2008, DSP was successful in facilitating the adoption of 699 children with special care needs. This report will provide details about the children and families served by DSP. Data collected from the Wisconsin State Automated Child Welfare Information System (WiSACWIS) and from other data collected by DCF provide the basis for the information in this report. This report includes data on children who were adopted in Wisconsin with adoption assistance in 2008.

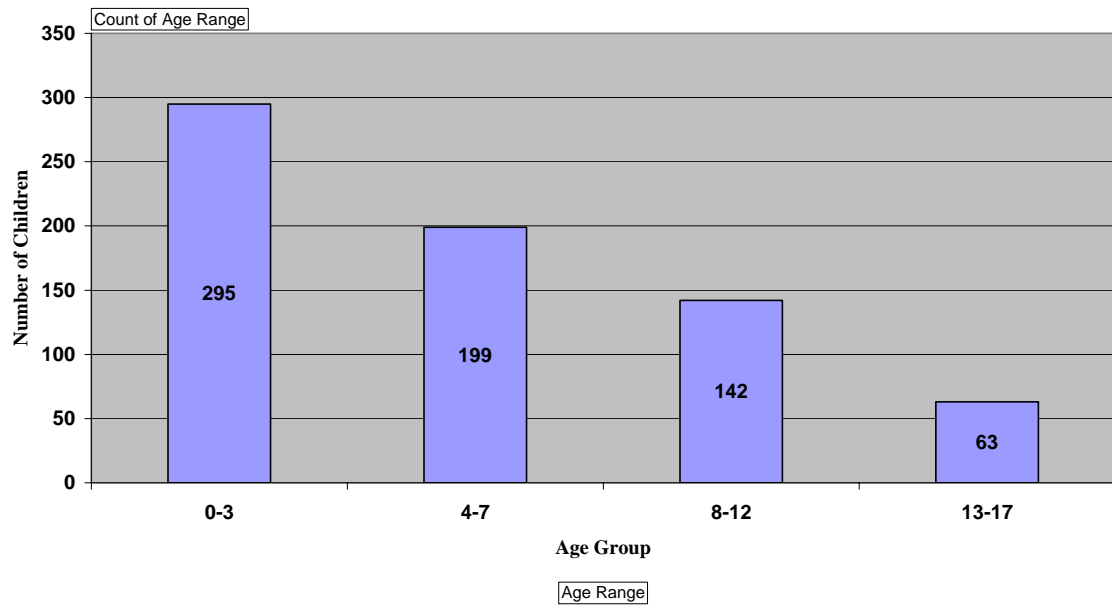
II. Adoption Finalizations

Number of Special Needs Adoption Finalizations

The state's Special Needs Adoption Program (SNAP) maintained a high level of adoption finalizations through 2008. The following table reflects the number of adoptions for children that DCF had guardianship of in the last fourteen years.

Special Needs Adoption Finalizations in Wisconsin 1995-2008			
<u>Calendar Year</u>			<u>Total</u>
1995			464
1996			565
1997			611
1998			722
1999			654
2000			709
2001			727
2002			1044
2003			1153
2004			1024
2005			902
2006			726
2007			724
2008			699
Total			10,724

Age of Children at Time of Adoption Calendar Year 2008

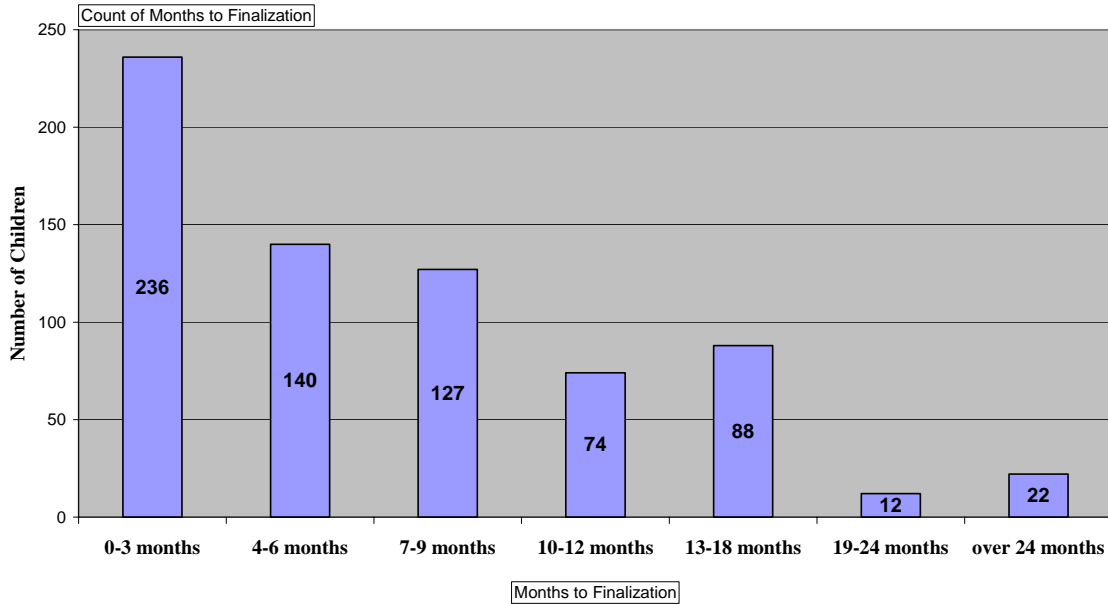


This chart represents the number of children by age adopted in 2008 that were in DCF guardianship.

About 27% of the children adopted in 2008 were over the age of eight and about 9% of the children adopted were age 13 and older.

Time from Termination of Parental Rights to Adoption Finalization 2007

Time from Termination of Parental Rights to Adoption Finalization CY 2008



This chart represents the period of time between termination of parental rights (TPR), when the child enters the guardianship of the State of Wisconsin, and the finalized adoption, when the adoption social worker or adoption case manager is responsible to oversee the process of obtaining permanency for the child.

- 53% of cases finalized within 6 months of TPR.
- 72% of cases finalized within 9 months of TPR.
- 82% of cases finalized within one year of TPR.

III. Transfer of Children to Different Geographical Locations

The Multi-Ethnic Placement Act (MEPA) is a federal law regulating the placement of children for adoption after parental rights have been terminated. MEPA was enacted due to concerns that the placement of a child ready for adoption was being delayed despite an appropriate adoptive resource being readily available for the child. MEPA requires that the best possible placement be found for children in need of permanence through adoption and that such adoptive placements should be pursued without delay. In order to accomplish this, the DCF considers families outside Wisconsin as permanency options.

The adoption program provides interstate adoption services. Children placed with families in Wisconsin for adoption from other states are monitored through the Interstate Compact on the Placement of Children (ICPC). Wisconsin children placed for adoption in other states are also monitored by the ICPC process. The table shows the number of Wisconsin children adopted in other states and the number of children from other states adopted in Wisconsin in CY 2008 who were served by the Special Needs Adoption Program.

	Wisconsin Children Placed Out-of-State	Out-of-State Children Placed in Wisconsin	Total Number of Adoptions Served through ICPC
Number of Children	17	18	35

The 17 children in Wisconsin guardianship placed for adoption in other states are included in the final total of 699 adoption finalizations in 2008. The 29 children from other states adopted by a Wisconsin resident are not included in the total of 699 adoptions reported for 2008. These adoption finalizations are included in the statistics of the respective sending state.

IV. Planning for Children's Permanency

One of the functions of SNAP is permanency consultation for children in the child welfare system that reside in out-of-home care. All children who enter out-of-home care are required to have a permanency plan, which in most cases is reunification, though frequently there is a concurrent plan of adoption. Permanency consultants review these children's permanency plans with county child welfare staff in order to develop a timely permanence goal for each child. Many of these children will maintain relationships with their birth parents and reunify with them, while a smaller percentage will move to TPR and permanence through adoption.

One of the outcomes of the permanency consultation role has been the earlier identification and placement of children in pre-adoptive homes when adoption is the primary goal or the concurrent plan. In addition, applicants for an adoptive placement are discovering that the time to complete an adoptive home study has decreased to generally less than 6 months. These factors in conjunction with the universal Resource Family Assessment (RFA) study result in more timely and quality permanence for children.

The DSP has been able to maintain a pool of available foster and adoptive resources. In the beginning of January 2009, a newly formed committee is involved in analyze the characteristics of the available families and the make up of the children who are in need of permanence. It has been deemed necessary to ensure that the SNAP is recruiting the right types of families who can parent the children in the Program. A modification of the established informational meetings and PowerPoint, as well as, the Parenting Interest Survey is underway. Emphasis in the recruitment of families is in meeting the specific needs of children who do not have a placement. Photo listing children needing a permanent placement on the state funded web site through Adoption Resources of Wisconsin, as well as on the Adopt skids web site continues to be used.

The number of TPRs is an indicator of the expected number of adoptions in the year. The following chart shows the number of TPRs in 2008 where guardianship was transferred to the State of Wisconsin. These 658 children entered SNAP and many will be adopted within the calendar year. Cases where the TPR occurred late in the calendar year will likely not achieve permanence until the following calendar year. This chart also demonstrates that children available for permanence through adoption are achieving timely permanence through SNAP.

Termination of Parental Rights vs. Adoption Finalizations in Wisconsin Calendar Year 2007

TPRs 2008	658
Adoptions 2008	699

V. Cost Methodology

The adoption contracts between the state's private partner agencies and DCF are paid on a case rate basis. Adoption contracts in BMCW are paid based on actual costs. The total cost of contracts for CY 2008 is \$5255.789. The following chart provides a historical basis for the cost over time.

Calendar Year	Number of Adoptions	Cost of Adoption Services
CY2002	1044	\$5,095,478
CY2003	1153	\$5,672,829
CY2004	1024	\$4,871,136
CY2005	902	\$4,942,091
CY2006	726	\$4,617,617
CY 2007	724	\$4,147,292
CY 2008	699	\$5,255,789

VI. SUMMARY

In CY 2008, SNAP was able to provide permanency through adoption to 699 children. The prior chart on TPRs versus adoption finalizations indicates that adoption finalizations are keeping pace with TPRs. Contracts with private partner agencies have enabled the DCF to increase worker capacity, decrease worker caseloads, and decrease the time from TPR to adoption finalization. As a result, the quality of the adoption services provided has improved.

A decline in the number of TPRs in 2004, 2005, 2006, and 2007 resulted in a decrease in the number of children that achieved permanence through adoption. Our analysis in 2006 did not identify barriers to permanence through adoption. Initially, it was projected in 2006 that adoptions could run at about 700 per year based on the number of children in out-of-home care. DCF will continue to track this information to identify any barriers to permanence and to assure that identified barriers are addressed in a timely manner.

The DCF is pleased with the successful outcomes for children and families achieved through SNAP. This report is a reflection of DCF's commitment to timely and quality adoption services and demonstrates the value of partnering with private agencies toward this common goal.

Citizen Review Panel Annual Report
For the Period **January 1 – December 31, 2008**

Name of Panel:	MARATHON COUNTY
Contact Person:	CAROLIE FOX, MCDSS SOCIAL WORK SUPERVISOR

Briefly describe the number and type of meetings held in 2008: 4 Quarterly Full Panel Meetings; Monthly meetings for the Membership & Public Information Sub Committees, 3 Executive Committee meetings for strategic planning & oversight; Attend Statewide CRP meeting 6/5/08 with R. Bicha, 4 members attend National CRP Meeting, St Paul, MN 5/21-23/08

Where applicable, please describe the panel's activities in regards to:

1. Evaluating local child protection services:
 - Additional meeting time added to educate the panel on the Child Welfare system
 - Received information on and participated in focus groups for the state Quality Service Review of cases in Marathon County
 - Continue to receive information about results of the Quality Service Review of cases in Marathon County
 - Provided information to the CRP members regarding the new Community Response partnership and service
 - Information shared regarding the ongoing DSS meetings with law enforcement and the medical community to strengthen and enhance partnerships

2. Evaluating local and State progress under the State CAPTA Plan
 - Director attended the National CAN conference in Milwaukee and reported information regarding child protection issues to the group
 - Received information regarding the new State Department of Children and Family Services and the impact on child welfare services in the state

3. Review of cases, child fatalities and near fatalities
 - As part of the education portion of the quarterly meetings, a number of child protective service cases were summarized to help explain the investigation process and provision of child welfare services
 - Marathon County has a separate Child Fatality Review team chaired by the County Coroner; cases are reviewed at this meeting and do not currently involve CRP

4. Review of the extent to which the child protective services system is coordinated with the foster care and adoption programs

- Foster Parent is a member of the CRP; no specific foster care issues were addressed

5. Public outreach and comment :

- Public Information committee completed a brochure to orient new members and the community on the Marathon County CRP

Please describe other panel activities or issues addressed in 2008

- Information regarding national CRP's and national child welfare issues shared by the CRP members that attended the "The River Rushes On" 7th Annual CRP Conference
- Continued reorganization and evaluation of the new quarterly meeting format and strategic plan
- Participation in video conference discussion with Sec Bicha and other CRPs.

Describe any challenges or difficulties the panel encountered in 2008

- Ongoing efforts to engage and maintain active and involved members
- Ongoing effort to identify relevant and meaningful issues for the committee
- Continued efforts to engage members in leadership roles

Recommendations to improve child protection services at the local level:

- Exploration of Alternative Response model
- Maintain adequate funding or explore alternatives to implementation of programs

Recommendations to improve child protection services at the State level:

- continue improvements of the eWISACWIS system
- evaluation of revenues to replace anticipated decrease in IV E funding.

Recommendations to improve State support of local CRPs:

- Identify 2-3 State wide issues for CRP's to focus on and provide the State with comprehensive feedback and recommendations

Indicate if training and/or technical assistance is needed or desired in 2009. Specify the areas in which you would like to receive training or assistance.

- Provide on site DCFS presence at CRP quarterly meetings
- DCFS staff may provide information for all panel members that may consist of a review of the CPS Standards/Statutes, Department policies and/or the CAPTA plan.

Please send an electronic copy of the completed annual report to Paula Brown at PaulaL.Brown@wisconsin.gov . Thank you.

Citizen Review Panel Annual Report

For the Period January 1 – December 31, 2008

Name of Panel:	Milwaukee Child Welfare Partnership Council
Contact Person:	Janel Hines

Briefly describe the number and type of meetings held in 2008:

There were thirteen Executive Committee meetings in 2008. The Executive Committee is an advisory committee which, on behalf of the Council, receives and reviews reports from Council committees, the Milwaukee Child Abuse Review Team (CART), the Bureau, the Division of Safety and Permanence, the Department of Children and Families and other organizations. The Executive Committee receives written and in-person monthly updates regarding child fatalities and egregious events.

There were four Partnership Council meetings in 2008. The Council was provided information on BMCW performance, policy, issues and initiatives. The Partnership Council receives quarterly updates on child fatalities and egregious events.

Where applicable, please describe the panel’s activities in regards to:

1. Evaluating local child protection services

The Council worked with the BMCW on establishing the Child Safety Scorecard. The Council received updates on the progress on the Milwaukee Child Welfare Safety Plan and the results of the second Quality Service Review.

2. Evaluating local and State progress under the State CAPTA Plan (3 and 4 go to this)

The Milwaukee Child Welfare Safety Plan was launched September 2007. The Council participated in its implementation and in the development of the tool to evaluate Bureau’s progress in meeting identified safety goals for children in BMCW care.

3. Review of cases, child fatalities and near fatalities

In January, the Partnership Council was designated as a Citizen Review Panel. The Executive Committee began receiving detailed information on CART reviews. The information is important to generating the “big picture” of child welfare in Milwaukee and determining what changes need to be made across systems to prevent such future tragedies. The Health Committee agreed to work

with the Division on developing a report to track CART recommendations, BMCW response and changes in policy and/or practice.

4. Review of the extent to which the child protective services system is coordinated with the foster care and adoption programs

The Bureau revised its policy on relative placement for children entering out of home care. The information was shared with the Council as part of the Milwaukee Child Welfare Safety Plan. The Bureau held all staff training in May 2008.

5. Public outreach and comment

The Council held two community meetings. The meetings provided the public an opportunity to hear about the work of the Bureau of Milwaukee Child Welfare and the Department of Children and Families, to ask questions and comment on services.

All Partnership Council meetings and Executive Committee meetings are open to the public unless closed session discussions are on the agenda. Partnership Council meetings are particularly well attended by the public and often the press. The Council also provided an opportunity for public comment at each Council meeting.

Please describe other panel activities or issues addressed in 2008

- The legislative members of the Partnership Council advanced and passed legislation to clarify the use of informal disposition orders for families involved with Safety Services. Legislators and DCF are working on defining legislation to allow child protective services staff access to juvenile criminal records for specific purposes.
- The Health Committee met with BMCW partners to determine methods for mental health screenings and ways to move toward trauma based services.
- The Health Committee hosted two mini-summits on health screens with Bureau staff, partner agencies and Child Protection Center staff. As a result, a pilot program was implemented to improve the timeliness of health screens for children coming into out of home care.
- The Health Committee co-chairs and BMCW leadership have been working with the Department of Health Services regarding improving Birth to Three screenings and services to children coming into out of home care.
- The Adoption and Out-of-Home Care Committee researched post-termination of parental rights contact between a child and a birth relative: The committee developed recommended language for continued contact

between a birthparent and their child after the legal adoption. Both the birthparent and adoptive parent would have to agree to the contact. Continued contact could be waived based on best interest of the child and any modification of the contract would occur in Family Court.

- The Adoption and Out of Home Care Committee began to explore standards for guardian ad litem.

Describe any challenges or difficulties the panel encountered in 2008:

Recommendations to improve child protection services at the local level:

Recommendations to improve child protection services at the State level:

The Health Committee recommended a statewide requirement that all children in out of home care be provided with well child checks based on the EPSDT periodicity table. That recommendation has been forwarded to the Secretary and Division Director and awaits discussion.

Recommendations to improve State support of local CRPs:

Indicate if training and/or technical assistance is needed or desired in 2009. Specify the areas in which you would like to receive training or assistance.

Please send an electronic copy of the completed annual report to Paula Brown at PaulaL.Brown@wisconsin.gov . Thank you.

CITIZEN PANEL ANNUAL REPORT
January 1, 2008 to December 31, 2008

Panel: Outagamie County Citizen Review panel

Contact Person: Melissa Blom, Division Manager - Children, Youth and Families Division, Outagamie County Department of Health and Human Services.

Briefly describe the number and type of meetings held in 2007.

On the following dates Outagamie County Citizen Review Panel meeting was convened: January 9, 2008; March 12, 2008; May 7, 2008; June 5, 2008; July 9, 2008; September 3, 2008 and November 5, 2008.

The meetings were held typically at the Outagamie County Extension Office. The co-chairs of the panel consist of Pastor Larry Creamer and Andrea Alpert-Buss. The meetings occur over the luncheon hour and box lunches are provided. Clerical support attends meetings to take minutes.

The Panel's Activities in Regard to:

1. **Evaluating Local Child Protection Services.** Several important discussions occurred in 2008 from the panel's perspective regarding Child Protective Services. It was decided during 2008 that regular case reviews would occur from a systemic point of view to determine what strategically could be done as a panel to address any barriers for families to services and or integrated assistance. In January 2008 the Quality Service Review occurred for Outagamie County. This voluntary participation in the review allowed Outagamie to evaluate the case practice models of our county Child Welfare Program, generate useful information for county staff and community state holders as to outcomes for children and families served, notice strengths of local practice, and opportunities for improving system performance. The Citizen Review Panel members were able to participate in a focus group regarding that continuous quality service review. In November, the Citizen Review Panel members were given a summary document of the state's findings.
2. **Evaluating Local and State Progress Under the State Capta Plan.** In 2007 a sub-committee entitled CAPTA Review was formed to help make recommendations to the state regarding the plan. This sub-committee did not meet in 2008. The intent is to reformulate this sub-committee to address the Child Abuse Prevention and Treatment Act State Plan progress and CFSP for FFY 2009, and report back to the entire committee in early 2009.
3. **Review Cases, Child Fatalities and Near Fatalities.** The Death Review Team of Outagamie County is a thriving well-attended monthly meeting. These meetings occur at Outagamie County's administration building and are run by two co-chairs, Kathy Stromberg and Jean Coopman-Jansen. Typically there are 20 to 35 community members in attendance. Several child deaths are reviewed annually. In 2008, a sub-committee worked to develop a PSA for prevention of co-sleeping.

4. **Review of a Coordinated Effort between Child Protective Services System and the Foster Care and Adoption Program.** In 2007 a child welfare disaster plan was initiated between these programs. The final plans were submitted to Outagamie County from our foster parents. The foster parent handbook was in the final stages at the state level and will be disseminated in 2009 to our foster parents.
5. **Public Outreach.** Currently Outagamie County Citizen Review Panel has developed three brochures; one for families explaining the CPS initial assessment process, pamphlets for educators to help them understand the child welfare process that was distributed in 2008, and a brochure developed to explain the Citizen Review Panel to be used as an outreach and recruitment tool. In 2008 efforts were made to bring about a community response to needs of families that Outagamie serves. That project entitled NOAHH (Neighbors Offering A Helping Hand) was worked on by a subcommittee. A volunteer coordinator at Youth and Family Services and her supervisor offered to participate in developing that program, which is modeled after La Crosse's program. Active work was done to seek Corporation Counsel and the Director of Outagamie County Human Services' approval prior to implementation. It is hoped that the NOAHH program will be off and running in 2009.
6. **Other Panel Activities Addressed in 2008.** The Citizen Review Panel appreciated staff by bringing a cake to a meeting on March 26, 2008. Michelle Weinberger-Burns, the division manager at Children, Youth and Families, who was instrumental in bringing about a Citizen Review Panel, retired in April 2008. A highlight for Citizen Review Panel members was the video conference that was held with the other panels in the state to meet with Reggie Bicha, the Department of Children and Families secretary, for an explanation and highlight of the new Children and Families Department structure. Secretary Bicha was able to answer questions from a number of the panel members in attendance that day. Of interest, is the current state panels' request for a one-state focus or strategic plan while the individual panels also could be working on local initiatives. There are high hopes that the new Department of Children and Family Services' website will have a link to all of the panels in the state activities and action plans.

Paula Brown attended the National Citizens Review Panel conference held in Minneapolis, Minnesota.

During 2008 an issue regarding respite providers being taxed, IRS rules and regulations, and liability issues were suggested as an issue that might be taken on by the Citizen Review Panel. After exploring the concern, a decision was made not to pursue as it would entail Federal IRS changes.

Describe any Challenges or Difficulties the Panel Encountered in 2007.

With the retirement of Michelle Weinberger-Burns, the coordinator for Outagamie County Citizen Review Panel, the panel was left without a coordinator for several months until a new

division manager was hired on September 15, 2008. Recruitment is of definite need as member attendance at panel meetings has decreased. Conversations have occurred regarding recruitment and change in the meetings to evenings to get more citizen attendance. The co-chairs did agree that a reach out to the Appleton School District to bring in a key stakeholder to our panel meetings would be necessary for 2009.

Recommendations to Improve Child Protection Services at the Local Level.

The January 2008 results of Outagamie County's QSR and areas of potential focus for system and practice improvement included:

- Work on community safety, evaluation, and on the decision-making process between juvenile justice and children and families service divisions.
- Work towards the balance of office time and paperwork with face-to-face time with clients.
- Keep working towards the sharing of information between divisions.
- Increase state wide the mental health professionals that take Medicaid.
- Better collaboration in unified case plans for shared families between the divisions.
- Better outreach toward schools in the area.
- Further discussion to retain staff to include better communication and transition of cases when someone resigns.
- Expand the ongoing training to foster parents on the legal aspects and to set up an informal support group.
- Development of a quick access card for distribution to families for resources.
- Create a trauma-informed system of care internally and externally with current providers and community stakeholders.
- Disproportionate minority families that are involved with the HHS.
- Work towards enhancing the roles and voices of fathers.
- Emphasis on team building with families. Establish written process and impact of teaming on workload.
- Looking at housing needs, long term for clients/families.
- Looking at single-parent households and,
- Child Care: Affordable, accessible and for all shifts.

Recommendations to Improve Child Protection Services at the State Level.

During the course of meetings, it was discussed that better legislative representation by Citizen Review Panels needed to occur at the state level keeping local citizens informed as to how they can be involved and advocate for change at the state level. Having a clear pathway to the people in charge through Department of Children and Families. At one point, after Secretary Bicha's telephone conference with the panels, Ms. Paula Brown, our contact person with the state, had indicated that with the new cabinet and department formed, the goal would be to have better access to administrators directly regarding local issues.

Recommendations to Improve State Support of Local Citizen Review Panels.

Once again, having an annual meeting of all current Citizen Review Panels in the state to bring together fresh ideas, initiatives, and action plans to streamline state focus while

simultaneously local panels are moving forward with their own initiatives. It would be the recommendation of Outagamie County's panel that continued funding of the panel be in place on the state level and continued support of attendance at national conferences and trainings to promote better efficacy of panels.

Indicative Training and/or Technical Assistances Needed or Desired in 2009.

Specify the areas in which you would like to receive training or assistance.

Clearly, the goal for 2009 is to recruit more members, educate the community regarding CPS services, advocate for change on the local level and state level, and continually evaluate our current practice. A strong sense of lack of state and federal dollars to support continued programming was felt. Advocacy to promote better funding of our system might be the initiative for 2009.

Document ID #: 579336



Jim Doyle
Governor

Reggie Bicha
Secretary

Cyrus Behrooz
Administrator

State of Wisconsin

**Department of Children and Families
Division of Safety and Permanence**

201 E. Washington Ave., Room E200
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Madison, WI 53708-8916

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Fax: 608-266-5547
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June 11, 2009

Vicki Tylka, Director
Marathon County Department of Social Services
400 E. Thomas St.
Wausau, WI 54403-6498

Dear Ms. Tylka:

The Division of Safety and Permanence (DSP) received the 2008 Marathon County Citizen Review Panel (CRP) annual report and will include this information in the 2009 Federal Children and Family Services Plan. This is the written response required by the Child Abuse Prevention and Treatment Act that DSP must provide regarding the recommendations of the panel.

The Marathon County Citizen Review Panel recommends that the DSP continue improvements of eWiSACWIS

Efforts to improve eWiSACWIS continue on an ongoing basis and are a high priority for the DSP. As you know from previous years, the DSP continues to use the eWiSACWIS Advisory Group, which primarily consists of county representatives, as consultants for improved system usability. We receive and respond to requests from system users regarding system changes and improvements and a large part of the eWiSACWIS maintenance budget is dedicated to addressing these requests. The DSP also uses the PAW/TAW meetings as another mechanism to gather feedback to improve and streamline the automated system. Additionally, the eWiSACWIS program staff work closely with DSP policy staff to assure that any system changes support case practice requirements.

The Marathon County Citizen Review Panel proposes that the DSP conduct an evaluation of revenues to replace anticipated decrease in IV-E funding

Federal government policy changes and increased audit activity have resulted in a decrease of close to \$25 million annually of foster care revenue in Wisconsin. The DSP is committed to seeking alternate ways to earn IV-E funding. The Levels of Care licensing proposal, for example, is one way that will assist Wisconsin in earning back some of the lost revenues. Major improvements in IV-E revenue depend on the federal government abolishing the linkage between IV-E and the old AFDC income limits. The Marathon County Citizen Review Panel along with the other state CRPs can advocate with the Wisconsin congressional delegation regarding the need to reform the IV-E program. As a result of the Fostering Connections Act, the federal government is phasing out the AFDC linkage for adoption assistance. The CRPs advocacy could also support phasing out the AFDC linkage for foster care.

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The Marathon County Citizen Review panel would like the DSP to identify 2-3 statewide issues for CRP's to focus on and provide the State with comprehensive feedback and recommendations

Several statewide issues the Wisconsin Citizen Review Panels may want to focus on include the following:

1. Developing recommendations and assessment guidelines for the types of cases (e.g. drug exposed infants) that could be handled as an alternative response as DSP works on implementing the Alternative Response program in the budget process.
2. Developing strategies to promote awareness of the dangers of caregivers co-sleeping with infants and small children.
3. Developing recommendations regarding how and what child protective services information should be shared for background checks. This issue becomes particularly important in light of 1) DCF interest in using CPS information in eWiSACWIS for background checks on child care employees and 2) the growing trend for states to create a CPS registry that can be accessed nationally.

The CRPs may want to consider discussing and prioritizing these issues at the Annual Citizen Review Panel meeting on July 30, 2009 at the Wintergreen Resort in Wisconsin Dells.

The Marathon County Citizen Review Panel requests the onsite presence of the DSP at its quarterly meetings.

The DSP intends to continue its support of the local panels by dedicating a staff position as the liaison to the panels. This staff person will continue to work directly with the panels through attendance at local meetings and other CRP activities, including the national CRP conference. Due to changing priorities and demands, however, it may not be possible to have DSP staff onsite at each meeting.

The Marathon County Citizen Review Panel requests that the DSP provide information to all its panel members so they are able to review CPS standards and statutes, DCF policies, and the CAPTA plan.

It is a priority for the DSP to assure that each member of the CRP is informed and is able to provide feedback on state and federal policies and statutes. The Case Practice Review Specialist will work with the Marathon County CRP to distribute this information.

Please contact me or the Case Practice Review Specialist if you would like additional support or if you need assistance with specific CRP activities. We value our citizen review panels and the important work that we do in partnership to enhance child protective services for Wisconsin's children and families.

Thank you for your timely submission of this annual report, and your continued dedication to the Citizen Review Panel.

Sincerely,



Cyrus A. Behroozi
Division Administrator



Jim Doyle
Governor

Reggie Bicha
Secretary

Cyrus Behroozi
Administrator

State of Wisconsin

**Department of Children and Families
Division of Safety and Permanence**

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June 11, 2009

Mary Pat Bohn, Interim Director
Bureau of Milwaukee Child Welfare
1555 North Rivercenter Drive, Suite 220
Milwaukee, WI 53212

Dear Ms. Bohn :

The Division of Safety and Permanence (DSP) received the 2008 Milwaukee Child Welfare Partnership Council Citizen Review Panel (CRP) annual report and will include this information in the 2009 Federal Children and Family Services Plan. This is the written response required by the Child Abuse Prevention and Treatment Act that DSP must provide regarding the recommendations of the panel.

The Health Committee of the Milwaukee Citizen Review Panel recommends that the DSP institute a statewide requirement that all child in out-of-home care be provided with a well child check based on the EPSDT periodicity table.

Childhood is a time of rapid growth and change and the goal of well-child health assessments is to determine whether a child's needs at different ages, stages, and periods of growth are being met. At these appointments, a child's health care needs and developmental milestones are fully evaluated in order to provide routine and preventative care. Additionally, these assessments also provide caregivers with guidance and education to assist in understanding the health and wellness needs of children in their care. Since an overall understanding of the purpose of well-child assessments is important for child welfare staff, the DSP will seek ways to provide statewide education on this issue.

Please contact me or the Case Practice Review Specialist if you would like additional support or if you need assistance with specific CRP activities. We value our citizen review panels and the important work that we do in partnership to enhance child protective services for Wisconsin's children and families.

Thank you for your timely submission of this annual report, and your continued dedication to the Citizen Review Panel.

Sincerely,

A handwritten signature in black ink, appearing to read "Cyrus A. Behroozi".

Cyrus A. Behroozi
Division Administrator

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Jim Doyle
Governor

Reggie Bicha
Secretary

Cyrus Behrooz
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State of Wisconsin

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June 11, 2009

Rosemary Davis, Director
Outagamie County Department of Health and Human Services
410 S. Walnut Street
Appleton, WI 54911

Dear Ms. Davis:

The Department of Children and Families, Division of Safety and Permanence (DSP) received the 2008 Outagamie County Citizen Review Panel (CRP) annual report and will include this report in the Department's Federal Annual Progress and Services Reports: Child Abuse Prevention and Treatment Act (CAPTA) State Plan submitted in 2009. This is the required written response to the annual report that the DSP must provide regarding the recommendations of the panel. The panel's recommendations are summarized below with the response immediately following each recommendation.

The citizen review panels need better legislative representation to keep panels informed as to how they can be involved and advocate for change at the state level. A possible mechanism to achieve this is direct access to the Administrator of the Division of Safety and Permanence regarding local issues.

The DSP values input from the panels and would like to increase communication and collaboration on child welfare issues. In 2009 the DSP would like to create forums for the panels to communicate directly with the Administrator of DSP and other management as appropriate or desired. The purpose of such meetings could be to discuss local panel concerns and issues and for panels to receive updates from the DSP.

Currently, a breakfast with the DSP Administrator, panels and Dr. Blake Jones, a national CRP expert, is scheduled for July 30, 2009. The CRP Coordinators intend to debrief following that meeting and will begin planning for subsequent communication opportunities between the DCF, DSP and panel members. Input from each panel is important in regards to identifying the best means for effective communication, convening meetings in a manner that enhances panel participation, and developing meeting agendas that target areas or issues for review, discussion and solutions.

Citizen review panels would like to have an annual meeting of all Wisconsin panels to bring together fresh ideas, initiatives and action plans to promote collaboration on statewide issues in addition to continuation of each panel's local activities.

In addition to the plan described in the preceding response, the DSP is committed to organizing at least one annual meeting for all Wisconsin panels and, depending upon the preferences of the panels, additional

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opportunities to collaborate. The DSP will assume responsibility for coordinating an annual face-to-face meeting with an agenda driven by the wants and needs of the local panels, in addition to organizing a video conference meeting. The DSP also encourages the CRPs to consider convening their own meetings, regionally or statewide, to ensure that the collaboration continues on a more frequent basis if this is desired by all of the panels. The DSP Case Practice Review Specialist, who is also the assigned DSP CRP liaison, will be responsible for maintaining the important connection between the DSP and the panels to remain updated on panel activities and needs.

Citizen review panels need continued funding of the panel by the DCF/DSP to support continued attendance at national conferences and other training that promotes the efficacy of the panels.

In 2009, the Outagamie County citizen review panel, along with the Marathon County and Pierce County panels were allocated \$6000 each for their 2009 CRP activities. This amount of funding is the same amount that was provided to each of the county panels in 2007 and 2008. We anticipate that this level of funding will, at a minimum, remain the same for 2010 or modestly increase, depending upon availability of CAPTA funds. We encourage the panels to keep us apprised of their activities and of any need for additional funding in the event that this amount is not sufficient.

Please contact me or the Case Practice Review Specialist if you would like additional support or if you need assistance with specific CRP activities. We value our citizen review panels and the important work that we do in partnership to enhance child protective services for Wisconsin's children and families.

Thank you for your timely submission of this annual report, and your continued dedication to the Citizen Review Panel.

Sincerely,



Cyrus A. Behroozi
Division Administrator

STATE OF WISCONSIN
Department of Children and Families

DEPARTMENT POLICY REGARDING
CONSULTATION
WITH
WISCONSIN'S INDIAN TRIBES

April 1, 2009

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I. Introduction

The various states have a unique legal relationship with each sovereign Indian government, as affirmed and described in federal law. This relationship is set forth in the Constitution of the United States, treaties, statutes, laws, and court decisions. Wisconsin Executive Order #39, issued in February 2004, affirms the government-to-government relationship between the State of Wisconsin and each Indian government located within the State of Wisconsin.

Government-to-government relations involve respectful and cooperative communication and dealings that are designed to achieve a consensus, to the extent possible, before a decision is made or an action is taken. The goal is to implement programs in a collaborative manner. The Wisconsin Department of Children and Families (the Department) is committed to such government-to-government relations with the federally-recognized tribal governments of Wisconsin (Tribes). The Department will employ its best efforts to achieve positive outcomes from its consultation and collaboration with Tribes. The goal of this policy is to improve the planning for, delivery of, and access to programs and services for children and families by Indian governments, communities, and people. We will achieve this by developing principles of and a process for consultation on children and family policies in Wisconsin. It is for this purpose that this policy has been developed.

The Department of Children and Families is a comprehensive state agency, headed by a cabinet-level secretary. The Department has responsibility for establishing policies and providing services in a wide variety of program areas, including child welfare, child protective services, out-of-home care, child care, child support, W-2 (Wisconsin Works), and other children and family related programming.

Many of these services are provided directly through the State's legal and contractual relationships with state Temporary Assistance to Needy Families ("TANF" or "W-2") agencies, private child welfare agencies, county departments of human services or social services, child support agencies, and Job Centers. These services are also often provided by tribal agencies through a contractual relationship between the DEPARTMENT and tribal governments or tribal governments and the federal government.

Each of the federally-recognized sovereign Tribes in the State of Wisconsin is recognized by the State for its unique status, self-government, and self-determination. The Department of Children and Families respects the fundamental principles that establish and maintain the relationship between Indian governments and the Department. The Department affords Indian governments the same respect afforded to other governments.

The Governor and the Legislature transferred selected programs from the Department of Workforce Development (DWD) and the Department of Health and Family Services (now the Department of Health Services, DHS) to the Department of Children and Families effective July 1, 2008. Both DWD and DHS have had a long history of contracting with tribal governments in the State of Wisconsin. With the creation of the Department of Children and Families, cooperation and collaboration will continue to be a priority.

The Department, its partner agencies, and the Tribes have a responsibility for a variety of programs serving children and families. As residents of the State of Wisconsin, tribal members

are equally entitled to services afforded to all residents of the State. As members of a sovereign tribal nation, tribal members are also entitled to those services afforded to all members of that Tribe. Whether the services are provided through tribal agencies or directly through the Department's partner agencies, it is critical that Department of Children and Families administrators and the leadership of the Tribes located within the state, and their respective representatives, consult with one another to assure the availability and successful delivery of needed services and other assistance.

II. Objectives

The objectives of this policy are:

- A. To create a collaborative relationship to improve child welfare, child care, child support, W-2 (Wisconsin Works), and other children and family related programming for tribal communities and their members.
- B. To formalize the procedures and expectations for the Department to implement a government-to-government relationship and to foster consultation with and encourage the participation of representatives of Tribes in policy development and program activities.
- C. To promote and develop methods of consulting with Tribes and to involve their representatives in the Department decision-making process in order to assure that the needs of tribal people are met.

III. Guiding Principles

The Department is committed to improving and maintaining effective government-to-government relations with Wisconsin's Indian tribes, bands, and communities. The development of mutual understanding -- with cultural awareness, sensitivity, and responsiveness -- is necessary for effective consultation on policies and collaboration on program operations. Toward achieving this goal, the Department will utilize the following principles in its consultation with tribal governments. Integration of these principles into the Department's planning and management activities will help produce positive and desired outcomes within the children and families programs and services for Tribal community members.

- A. It is important to recognize the uniqueness of each Indian community's culture, governmental structure and processes, demographics, geography (e.g., where tribal members are located), and other factors.
- B. Consultation involves respectful and timely communication between sovereign governments in a cooperative process that strives to achieve a consensus before a decision is made or an action is taken.
- C. Working directly with Indian Tribes in a government-to-government manner will result in an effective, efficient, and sustainable consultation process.

- D. Consultation with tribal governments when developing and implementing budgets, policies and programs, legislative initiatives, regulations, and other activities that are anticipated to directly affect Indian Tribes or their members is necessary and respectful. This includes topics presented by the Tribes on which they would like consultation.
- E. Promotion of cooperation among affected parties is the best way to implement initiatives and resolve issues of mutual concern.

IV. Purpose and Methods

The State of Wisconsin, represented for purposes of this policy by its Department of Children and Families, with the concurrence of the Tribes as sovereign entities, will diligently seek to maintain an ongoing and meaningful process for communicating general concerns, program and funding priorities, respective roles in the provision of services to Tribal community members, and other high-level matters of mutual concern.

The Wisconsin Department of Children and Families, in consultation with the federally-recognized tribal governments located within the state, establishes this policy requiring Department staff to consult with tribal governments on Department policies and activities. This policy formalizes the collaborative relationship that the Department and Tribes have established in creating, contracting for, and accessing child welfare, child care, child support, W-2 (Wisconsin Works), and other children and family related programming for tribal communities and their members statewide.

A. Annual Meetings

The Secretary of the Department of Children and Families, in consultation with tribal leadership, shall assume the responsibility for scheduling an annual consultation session at which the Secretary will be present. The consultation must include invitations to, at a minimum, the following individuals or their designees:

- Chairperson, Bad River Band of Lake Superior Tribe of Chippewa Indians
- Chairperson, Forest County Potawatomi Community
- President, Ho-Chunk Nation
- Chairperson, Lac Courte Oreilles Band of Lake Superior Chippewa Indians
- President, Lac du Flambeau Band of Lake Superior Chippewa Indians
- Chairperson, Menominee Indian Tribe of Wisconsin
- Chair, Mole Lake Sokaogon Chippewa Community
- Chairperson, Oneida Tribe of Indians of Wisconsin
- Chairperson, Red Cliff Band of Lake Superior Chippewa Indians
- Chair, St. Croix Chippewa Indians of Wisconsin
- President, Stockbridge-Munsee Band of Mohican Indians
- Tribal Administrators and program staff as determined by the Tribal Leadership
- The Secretary of the Wisconsin Department of Children and Families
- Department administrators and other staff as determined by the Secretary

The agenda for and date and location of the consultation session shall be determined jointly by the Secretary and Tribal leaders identified above. The schedule will take into account the desirability of allowing adequate time during even-numbered years for development of the Department's biennial budget initiatives.

It shall be part of the consultation agenda for at least one meeting during each calendar year to review and evaluate the accomplishments and effectiveness of the previous year's action plan (see section IV.C.) and to establish mutual goals for the current year's action plan. The agenda will also include a current Department organizational chart. In addition, the Department will prepare a summary of the previous year's committees and other bodies that indicates the involvement of tribal representatives and the tribal affiliation of those representatives.

B. Other Meetings

The Secretary of the Department of Children and Families, in consultation with tribal leadership, shall assume the responsibility for scheduling additional consultation sessions at his or her discretion. In addition, any Tribal Chairperson or President may request meetings or other consultation with the Secretary or other Department representatives.

C. Annual Action Plan

The Department management shall establish, in conjunction with appropriate program staff and Department Tribal Relations Staff, an annual action plan by which this government-to-government consultation policy shall be implemented. The action plan shall include:

- **Programs:** A list of programs and services available to Tribal members, including an overview of and training on Department programs and a Department organizational chart.
- **Policy and Program Development:** Description of new or potential initiatives, programs, and policies affecting Tribes.
- **Priorities:** Prioritized topics and issues for discussion and, as necessary, resolution with the Tribes.
- **Consultation Process:** The procedures to be used to consult with Tribes on existing and new policies and programs.
- **Evaluation Process:** The process to determine the effectiveness of the action plan with respect to the consultation process and to the programmatic, fiscal, and other aspects of applicable health and human services programs identified in the action plan.

D. Training

It shall be part of consultation agendas to establish regular, ongoing training sessions for appropriate Department employees and other individuals, such as W-2 agencies, counties, and other partners. The purpose of this training is to educate Department employees and others regarding the requirements of a meaningful government-to-government relationship, including historical and cultural perspectives from the Tribes, and information about the importance of consensus building, Tribal sovereignty, Tribal government, and Tribal services. The

Department shall make every effort to involve Tribal Leaders or their designees in the development of the curriculum and provision of the training.

E. Relationship to Federal Law

No action taken in accordance with this policy shall conflict with or circumvent Federal laws, mandates, rules, or regulations governing the programs, procedures, or practices of either the Department of Children and Families or Wisconsin's federally-recognized Tribes.

V. Resolution of Issues

In any given year, specific issues affecting one or more Tribes and the Department of Children and Families may arise. These issues may be raised by either a Tribe or the Department and may occur at various levels within either party. The following process is to be used when such issues arise.

A. Initial Discussion

When an issue arises and an employee of either a Tribe or the Department contacts an employee of the other entity, they will discuss the issue and attempt to resolve it. If higher level involvement is required, the process described in Subsection V.B. will be followed.

If resolution or non-resolution of the issue would affect a Tribe or Tribes other than the Tribe involved, then further discussion must occur as described in Subsection V.C.

B. Issues Requiring Higher Level Involvement

If higher level involvement is needed, the issue will be raised to the appropriate level in a Division or the Department for resolution. Within a Division or other subunit of the Department, the appropriate manager will assume responsibility for contacting the Tribe and attempting to resolve the issue. Resolution shall be sought through the Division hierarchy prior to being referred to the Department level. Should resolution not occur at the Division level and it is advanced to the Department level, the Tribal Affairs staff, with the support and assistance of the Secretary's Office, will facilitate contact between the appropriate Department staff or managers and the Tribe. Communication between those parties shall occur as soon as is reasonably possible, subject to Subsection D, to determine if the issue can be resolved. If the issue is resolved, no further action is required. If the issue cannot be resolved at the Department level, the Tribe will be informed of the mechanism to raise the issue with the Division of Intergovernmental Affairs in the Department of Administration.

C. Issues Affecting More Than One Tribe

If it is determined that resolution or non-resolution of the issue will affect more Tribes than just the Tribe presently involved in the discussion, the Department program representative who is involved with the issue will, after consultation with the Department Tribal Affairs staff, make contact with the Tribe to inform them of the change in focus. A designee of the Department Secretary and the Tribal Affairs staff shall notify all affected Tribes and initiate the resolution

process. Communication involving all of the potentially affected parties will occur in a timely manner and will be facilitated by the Department Tribal Affairs staff and the designee of the Department Secretary.

If the issue is resolved through agreement of the involved parties, no further action is required. If the issue cannot be resolved, then the issue shall be raised to higher level authorities as described in Subsection V.B.

D. Timeliness of Response

Within ten (10) business days after receiving contact from a tribal representative, the Department representative shall respond to the tribal representative with a resolution of the issue or a projected timeframe for resolution of the issue. The parties may negotiate the timeframe for resolution.

VI. Outreach to Tribal Governments on Committees and Workgroups

During the normal course of business, it is often necessary for the Department to establish committees, councils, workgroups, or similar bodies to provide advice and recommendations to the Department. Management of the Department, in creating such committees, councils, workgroups, or similar bodies that deal with policies or programs affecting tribal governments or tribal members, shall inform tribal Chairpersons/Presidents, in writing, of their creation. The person who will chair or facilitate the body shall communicate with all Tribes regarding any proposed policies or programs under consideration in order to solicit tribal input.

A. Long-Term and Ongoing Basis

If the Department or any Division establishes any ongoing or long-term advisory committee, commission, or similar body, the Secretary or appropriate Division Administrator shall notify the Tribal Chair or President of each Tribe, in writing, of the nature and purpose of the body, the anticipated outcome(s), the qualifications for the representative desired, what expenses will be reimbursed, and the time commitment required for serving on the body. The Department will defer to the Tribe's determination of whether or not to designate a person to serve on the body. When the Department is advised by a committee or council created by state statute, executive order, or other mechanism with appointments made by the Governor or other appointing authorities outside of the Department, the Department will give similar notice to each Tribal Chair or President allowing the opportunity for him or her to identify interest in appointment consideration, unless some other appointing process or authority is mandated.

If the body requires tribal representation, but the size of the body, as determined by the Department, precludes a representative from each tribe, then the Department will request representation from the Inter-Tribal Child Welfare Directors Committee. The Department Tribal Affairs staff will maintain an ongoing list of tribal representatives and their tribal affiliation. When more than one tribe indicates interest in being represented, the Department shall allow representatives of at least two tribes to participate.

B. Short-Term and Ad Hoc Bodies

If the Department, a Division, or a subunit of a Division establishes any external ad hoc committee or workgroup which affects tribes or tribal members, the appropriate individual in the Department, Division, or Division subunit shall contact the tribal program directors in the program that are affected by the work of the committee or workgroup. The contact shall initially be in writing and shall include a description of the nature and purpose of the body, the anticipated outcome, the qualifications of the representative desired, what expenses will be reimbursed, and the time commitment required for serving on the body. The tribal program directors, after any necessary consultation, will determine whether or not to appoint a person to serve on the committee or workgroup. If the body requires tribal representation, but the size of the body, as determined by the Department, precludes a representative from each tribe, then the Department will request representation from the Inter-Tribal Child Welfare Directors Committee. The Department Tribal Affairs staff will maintain an ongoing list of tribal representatives and their tribal affiliation. When more than one tribe indicates interest in being represented, the Department shall allow representatives of at least two tribes to participate.

GLOSSARY

For purposes of this consultation policy, the following terms and definitions will apply:

“Child support” means obligations owed by parents to their children and maintenance obligations owed to spouses or former spouses with whom the children reside in this state.

“Child welfare” means the system of services and programs for children and families who may have issues related to safety, special care and treatment, or other assistance designed to assure the well-being of children.

“Consultation” means a process used to facilitate communication, interaction, and the exchange of views and perspectives between the Department of Children and Families and each of the federally-recognized Tribes in Wisconsin.

“County department of human services” means an agency that is part of a county governmental structure with the powers and duties described in s. 46.23, Stats.

“County department of social services” means an agency that is part of a county governmental structure with the powers and duties described in ss. 46.215 or 46.22, Stats.

“Cultural awareness and sensitivity” means having due knowledge of and regard for the behavior patterns, civilization, customs, arts, beliefs, institutions, and all other achievements and manifestations of human work and thought as expressed in a particular community.

“Department” or *“Department”* means the Wisconsin Department of Children and Families.

“Division” means a subunit of the DEPARTMENT responsible for the management, administration, and provision of programs and services in specific program areas. For purposes of this agreement, “Division” relates to one or more of the following divisions: Prevention and Service Integration, Early Care and Education, Safety and Permanence, Family and Economic Security, and Enterprise Solutions.

“Government-to-government” means communication and dealings between sovereign governments, their agencies, and other official entities.

“Sovereign” means independent of the control of another government or governments.

“Tribe” or *“Tribal government”* means a sovereign government of an Indian people, embracing and occupying lands and territory, and having jurisdiction over same, lying within the geographical boundaries of the State of Wisconsin, which sovereignty is recognized by the Government of the United States and subject to the Constitution, laws, and treaties of the United States, which also may be known as a “federally-recognized Indian Tribe.”

“Wisconsin Works (W-2)” means the state-administered Temporary Assistance for Needy Families (TANF) program which replaced Aid to Families with Dependent Children.

2009 DCF & Wisconsin Indian Tribes Consultation Implementation Plan

The Wisconsin Department of Children and Families (DCF) and the federally recognized Indian Tribes in Wisconsin held their first Tribal Consultation meeting on September 17, 2008 and a mid-year status consultation on April 1, 2009. This implementation plan is the product of those meetings. Issues and deliverables that were completed were removed from the plan. The resulting plan updates a set of mutually agreed-upon short- and long-term strategies designed to address issues related to Tribes and Tribal children and families. The Department and the Wisconsin Indian Tribes agree to collaborate and provide staff as required to successfully achieve these outcomes.

RESOLUTION OF ISSUES

Issue: The DCF Tribal Consultation policy language regarding resolution of issues needs to be amended to provide more specificity to the process of problem resolution, especially at the highest levels in the Department.

Deliverable	Due Date	Party/ies Responsible	Status of Deliverable
DCF will convene a work group comprised of DCF, DHS, and Tribal members to develop proposed language. This language will be reviewed and finalized at the Fall 2009 Consultation Meeting.	September 1, 2009	Kimmie Collins, DCF Mark Mitchell, DCF/OLC, Jim Weber DHS	

TRIBAL REPRESENTATION ON WORKGROUPS, COMMITTEES, ETC.

Issue: According to the DCF Consultation Policy, if a workgroup or committee related to child welfare is established and not all tribes can be represented due to the limited size of the body, DCF will consult with the Inter-Tribal Child Welfare Directors Committee to identify tribal representatives. Similar processes need to be established for DCF workgroups or committees not directly related to child welfare (e.g., child support, W-2, domestic violence, child care)

Deliverable	Due Date	Party/ies	Status of Deliverable
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		Responsible	
Determine the need for and potential procedures for establishing other tribal committees or advisory groups similar to the Inter-Tribal Child Welfare Directors Committee.	September 1, 2009	Kimmie Collins, DCF Mark Mitchell, DCF/OLC	

CHILD WELFARE

Issue: Incorporate ICWA into Wisconsin Law

At the present time, Chapter 48, Stats., (the Children's Code) and Chapter 938, Stats., (the Juvenile Justice Code) merely reference the Indian Child Welfare Act (25 USC 1901 to 1963) and do not actually include the language of that Act. Because of this, caseworkers, judges, and attorneys oftentimes overlook ICWA requirements and are not aware of situations where federal ICWA legislation takes precedence over Wisconsin state law. In response to this problem, a work group comprised of DCF program and legal staff, Indian Child Welfare Directors, tribal attorneys, and the Director of State Courts Office (as ex-officio members) has developed statutory language that codifies the requirements of ICWA into Chs. 48 and 938.

Deliverable	Due Date	Party/ies Responsible	Status of Deliverable
Distribute the final draft of the bill	July 1, 2009	Mark Mitchell, DCF/OLC	
Implement strategies to ensure that the bill is introduced in the Legislature (e.g., providing information to legislators, developing issue papers)	September 1, 2009	Cyrus Behroozi, DCF/DSP Mark Mitchell, DCF/OLC; Kimmie Collins, DCF	
DCF will develop and propose a training curriculum and schedule, to be implemented upon enactment of the codification bill.	September 1, 2009	Cyrus Behroozi, DCF/DSP	
DCF will offer assistance to the Director of	July 31, 2009	Nancy	

State Courts Office and the UW Law School in the development of jury instructions related to CHIPS and TPR proceedings involving Indian children		Wettersten Mark Mitchell DCF/OLC	
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Issue: Compliance with the Indian Child Welfare Act			
County agencies, courts, and other entities need to be provided with tools to assist them in complying with the Indian Child Welfare Act and DCF needs to assure that county agencies are complying with the Act.			
Deliverable	Due Date	Party/ies Responsible	Status of Deliverable
DCF will check to see that forms incorporated in eWiSACWIS are moved from the administrative tab in the March release of revisions to eWiSACWIS.	March 31, 2009	Mark Mitchell, DCF/OLC; Cyrus Behroozi, DCF/DSP	
DCF staff should examine alternative methods to change eWiSACWIS to include ticklers and other tools to remind county and state staff to complete the appropriate forms, attempt to determine whether a child is an Indian child, determine the tribal affiliation of Indian children, and provide appropriate notification to tribes.	September 30, 2009	Mark Mitchell, DCF/DSP; Cyrus Behroozi DCF/DSP	
Incorporate ICWA requirements into the CQI process.	October 31, 2009	Nikki Hatch, DCF/ OPQA	
Work with counties and tribes to provide consultation on ICWA compliance and complaint procedures	October 31, 2009	Cyrus Behroozi, DCF/DSP	

Issue: Relinquishment of Indian Children
Current state statutes conflict with the Indian Child Welfare Act on this issue. Amendments to state law or some alternative solutions need to

be developed to rectify this conflict.

Deliverable	Due Date	Party/ies Responsible	Status of Deliverable
DCF staff will review Ch. DCF 39, Adm. Code, re: infant relinquishment to determine if changes can be made to mitigate some of the issues involved.	September 1, 2009	Mark Mitchell & Nancy Wettersten, DCF/OLC	
DCF will confer with the Milwaukee County District Attorney's Office and Judges to attempt to resolve differences of opinion on tribal notification procedures under ICWA.	June 1, 2009	Cyrus Behroozi, DCF/DSP; Nancy Wettersten, DCF/OLC	
DCF will consult with staff of the Division of Public Health in the Department of Health Services to determine options for clarifying the purpose of the infant relinquishment law and its relation to Indian Child Welfare Act for hospital and other medical staff.	June 1, 2009	Cyrus Behroozi DCF/DSP, Mark Mitchell & Nancy Wettersten DCF/OLC	
DCF will establish a small workgroup to examine how the issue has been handled in other states, especially those states in which Tribes are located.	June 1, 2009	Cyrus Behroozi DCF/DSP Mark Mitchell & Nancy Wettersten, DCF/OLC	

Issue: Examine Funding Options for Tribal Child Welfare Services

At the present time, the Department provides child welfare program funding to some tribes and general funding to all tribes through the Family Services Program (administered by the Department of Health Services). In addition, the placement of Indian children in out-of-home care by Tribal courts is funded by both Tribes and counties. Payments by counties for out-of-home placements ordered by Tribal courts are made pursuant to a 161 Agreement between that county and the Tribe. Over the last several years, a number of issues have arisen relative to the effectiveness and fairness of these County-Tribe agreements. At least one Tribe has expressed an interest in examining funding options to provide the full range of child welfare services. A workgroup was established in June of 2007 to research funding options and alternative

operating structures for Indian child welfare services in Wisconsin.			
Deliverable	Due Date	Party/ies Responsible	Status of Deliverable
DCF and tribal representatives will develop a model State/Tribal Title IV-E Agreement	July 1, 2009	John Tuohy DCF/DSP	
DCF leadership will provide a response to the report to the Alternative Funding Workgroup.	July 1, 2009	Reggie Bicha, Angela Russell, & Kimmie Collins, DCF	
The Alternative Funding Workgroup, based on responses from DCF and Tribes, will prioritize the recommendations in the report and, as appropriate, establish work plans.	August 30, 2009	Mark Mitchell, DCF/OLC; Cyrus Behroozi DCF/DSP Kimmie Collins DCF	

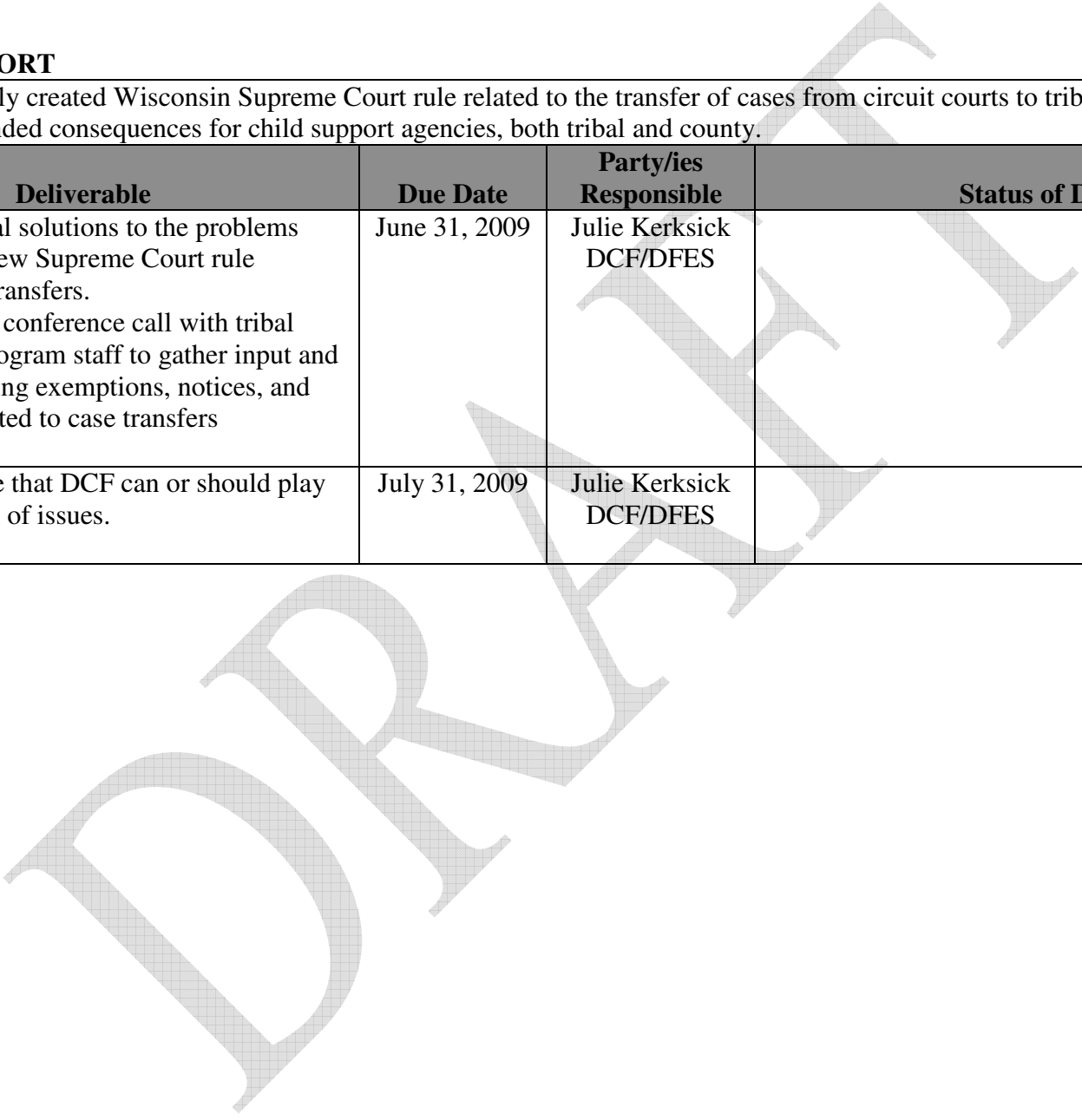
Issue: Foster Home Placements and Resources			
Tribes are experiencing substantial problems with the Interstate Compact on the Placement of Children (ICPC), in some part due to county staff (both in Wisconsin and in other states) not following ICWA and/or ICPC.			
Deliverable	Due Date	Party/ies Responsible	Status of Deliverable
<p>Investigate the adherence to and use of ICPC and ICWA in the placement of Indian children</p> <p>There is a commission on courts and the families that is doing a survey on ICPC. DCF will look into the activities of the commission.</p> <p>Research will be conducted to determine what, if any, federal action has been taken on this issue.</p>	June 2009	Nancy Wettersten, DCF/OLC	

Notify tribes that any issues they experience related to ICPC should be forwarded to Nancy Wettersten.	July 1, 2009	Nancy Wettersten, DCF/OLC	
Examine ICPC procedures in other states to determine if there are better methods that can be used to resolve issues for Tribes located in Wisconsin.	October 31, 2009	Cyrus Behroozi, DCF/DSP	
Notify Tribes that DCF ICPC staff is available to provide them with technical assistance in working with ICPC or county offices in other states.	June 1, 2009	Cyrus Behroozi, DCF/DSP	
Inter-Tribal Child Welfare Directors Committee will look at this issue to offer more clarity to the problem and possible options to resolve the problem.	October 31, 2009	ICW Directors	
Clarify the authority of tribes to license foster homes on reservations or trust lands, and determine whether this authority extends to homes off of the reservations or trust lands.	October 31, 2009	Mark Mitchell & Nancy Wettersten DCF/OLC	
Examine possible “full faith and credit” language for foster homes licensed by tribes in 161 Agreements and Chs. DCF 56 and 38, Adm. Code.	December 2009	Mark Mitchell, DCF/OLC; Cyrus Behroozi DCF/DSP	

CHILD SUPPORT

Issue: A recently created Wisconsin Supreme Court rule related to the transfer of cases from circuit courts to tribal courts has resulted in possibly unintended consequences for child support agencies, both tribal and county.

Deliverable	Due Date	Party/ies Responsible	Status of Deliverables
Identify potential solutions to the problems created by the new Supreme Court rule regarding case transfers. DCF will host a conference call with tribal child support program staff to gather input and opinions regarding exemptions, notices, and other issues related to case transfers	June 31, 2009	Julie Kerksick DCF/DFES	
Identify any role that DCF can or should play in the resolution of issues.	July 31, 2009	Julie Kerksick DCF/DFES	



WISCONSIN
DIVISION OF CHILDREN
AND
FAMILY SERVICES

CHILD WELFARE
DISASTER PLANNING PROCEDURES

Revised April 29, 2008

September 2007

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BACKGROUND AND REQUIREMENTS

The Child and Family Services Improvement Act of 2006 requires states to have disaster procedures and plans in place to ensure ongoing services to children who are displaced or adversely affected by a disaster. The following federal Department of Health and Human Services (HHS), criteria must be addressed:

- Identify, locate and continue availability of services for children under State Care or supervision who are displaced or adversely affected by a disaster;
- Respond to new child welfare cases in areas adversely affected by a disaster, and provide services in those cases;
- Remain in communication with caseworkers and other essential child welfare personnel who are displaced because of a disaster; and
- Preserve essential program records and coordinate services and share information with other States.

POPULATIONS INCLUDED IN THE FEDERAL DISASTER PLANNING REQUIREMENTS

The intent of the legislation is to ensure that child welfare agencies across the country have plans in place to address natural disasters, man-made crisis, or medical events that can affect the routine ways child welfare agencies operate and serve children, youth and families. The federal child welfare disaster planning requirements specifically apply to children under state care or supervision served by programs funded by Title IV-B and Title IV-E. Children in Wisconsin under County or Tribal care or supervision are covered if Title IV-B or IV-E is claimed for them.

Wisconsin programs funded by Title IV-B Subpart I funds include:

- Community Aids,
- Youth Aids, and
- Runaway and Homeless Youth Programs.

County and Tribal programs funded by Title IV-B Subpart II funds, Wisconsin's Promoting Safe and Stable Families Program (PSSF), include:

- family preservation,
- family support, and
- time-limited-reunification services.

Menominee County does not receive an annual PSSF allocation. In Menominee County, the Menominee Tribe receives PSSF grant funds.

Programs funded by Title IV-E include those for children receiving out-of-home placement and permanency planning services due to abuse and neglect or juvenile delinquency. Children receiving Kinship Care payments placed with relatives under court order (COKC) are also considered to be in out-of-home care and entitled to all Title IV-E protections and permanency planning services.

LOCAL EMERGENCY OPERATIONS PLANNING PROCESS AND STRUCTURE FOR PLAN DEVELOPMENT

Wisconsin Emergency Management and each County Emergency Management Director have overall responsibility for developing State and County Emergency Operations Plans. Those plans contain Annexes with Lead Coordinating Agencies identified for each Annex. County Emergency Management Directors expect each Lead Coordinating Agency to develop plans specific to their areas of expertise and responsibility.

Expertise in child welfare issues is located in the Wisconsin Department of Health and Family Services at the State level and County Human Services, Social Services or Health and Human Services Departments at the County level. The state oversees child welfare practice and provides policy direction and partial funding to county human or social service departments, which actually provide the child welfare services to children and families. Those Departments are also the Lead Coordinating Agencies for Annex E (Evacuation and Sheltering) and Annex F (Human Services).

As local plans are developed to meet the disaster planning requirements included in the Child and Family Services Improvement Act of 2006, they are integrated into the Lead Coordinating Agency's overall plan. The Lead Coordinating Agency's Plan becomes a part of the overall coordinated County Emergency Operations Plan.

Given the organizational structure of the state's child welfare program, the Wisconsin Division of Children and Family Services issued a numbered memo to counties, tribes, and Bureau of Milwaukee Child Welfare requiring the development and implementation of child welfare disaster plans by September 28, 2007 that meet the above federal criteria. State and county contracts require that counties provide social services and community programs in accordance with State statutes and administrative rules and Federal statutes, rules and regulations, and requirements of the DCFS Memo Series.

In addition, DCFS staff:

- Met with County Directors, Supervisors, Foster Care Coordinators, Area Administration staff, and Tribes to inform them of the child welfare disaster planning requirements, answer questions, and provide technical assistance.
- Issued a contract to Lutheran Social Services (LSS) Disaster Human Services Project to provide technical assistance and five regional trainings for child welfare disaster planning to counties, tribes, and the Bureau of Milwaukee Child Welfare. This also included a toll free number to call with questions and a website with template documents.
- Issued an informational memo to respond to frequently asked questions concerning the disaster planning requirements.
- Developed a survey to identify support and technical assistance needs.

PROCEDURES TO MEET THE FEDERAL CRITERIA

In accordance with the requirements of the federal legislation, county child welfare agencies identified the types of disasters that they might face, including natural disasters, man-made events, and pandemics/infectious diseases. Child Welfare Disaster Plans were then developed by each county to meet the requirements of the Department of Health and Human Services (HHS) federal criteria consistent with existing local and statewide emergency management plans utilizing the following strategies, as appropriate:

**Identify, locate and continue availability of services for children under State Care or supervision who are displaced or adversely affected by a disaster;
and
Respond to new child welfare cases in areas adversely affected by a disaster,
and provide services in those cases.**

Strategies/Procedures:

- Requirements for foster and adoptive families and providers to develop disaster plans, keep them updated, and provide them to the county;
- Requirements for foster and adoptive families to check-in with the agency after a disaster;
- Development of mutual aid agreements between counties to respond to new child welfare cases and provide necessary services in the event of a disaster;
- Designated managers in charge and back-ups;
- Identification of essential functions with designated staff and backups to oversee these functions;
- Identification of locations for operations with computer resources in the event the current site(s) is unavailable;
- Coordination with other emergency management agencies;
- Collaboration with key service providers;
- Collaboration with the local courts;
- Accessibility for contact information for children under state care or supervision incorporated into the plan;
- Requirements for essential contracted service agencies to have disaster plans, keep them updated, and share them with the county;
- Contracts with providers that include that they maintain a written disaster and emergency response plan to address mandatory and emergency evacuations, disaster planning training for facility staff, location and tracking of children, protection or recovery of records, provision of regular and crisis-response services to children during and after a disaster, and communication with the agency.

Note: On April 16, 2008, the Division of Children and Family Services, issued Info Memo 2008-04, which announced the ability of counties, tribes, and the Bureau of Milwaukee Child Welfare to image family, provider, and/or youth disaster plans in eWiSACWIS to help identify, locate, and continue availability of services for children under state care or supervision who are displaced or adversely affected by a disaster.

Remain in communication with caseworkers and other essential child welfare personnel who are displaced because of a disaster.

Strategies/Procedures:

- Staff training and communication in the agency disaster plan;
- Establishment of a toll free number for clients and staff to utilize in the event of a disaster;
- Communication to clients and staff about the toll free number to call in the event of an emergency;
- Use of a website in sharing disaster information;
- Development of a media communication plan;
- Accessible emergency phone numbers and call trees to essential personnel incorporated within the plan;
- Personnel disaster plans for staff that are accessible during a disaster;
- Requirements for staff to check-in after a disaster and instructions on how to do so;
- Inform contracted staff about the agency disaster plan;

Preserve essential program records and coordinate services and share information with other States.

Strategies/Procedures:

In the event of a local disaster counties shall rely on eWiSACWIS, as automated systems allow staff in any part of the State access to information, and allow central office staff to access information about children and families throughout the state to share with other counties and states.

The Bureau of Information and Technology Services (BITS) in the Division of Enterprise Services (DES) in the Department of Health and Family Services (DHFS) has procedures in place to ensure the system continues to process all critical applications if a disaster were to occur. A formal contingency plan has been in place since February 2002 and key information is referenced below. *(Note: This information is an integral part of the DHFS Information Technology Network Security Plan.)*

- The responsibility for contingency plans resides with the Administrator of DES. DHFS has an overall master plan for continued operation of the Department's management functions. This plan addresses how the Department will recover and address management functions in the case of a disaster. As well, DES maintains a central repository of all DHFS business continuity plans in the DHFS central office building. For obvious reasons, these plans are highly secure and not available for distribution.

- DHFS has contingency plans in place for all critical business functions. Each business area has its own plan and is responsible for supporting the recovery of its business functions. (DCFS is responsible to support the business recovery of

eWiSACWIS). Critical computer systems have been identified and prioritized. BITS maintains the list of critical systems (includes eWiSACWIS).

- Each Division within DHFS has a contingency plan. These plans are updated semiannually or annually, as needed, including appropriate sample testing and review by the Office of Policy Initiatives and Budget. The division administrators maintain copies of the individual plans in secure locations with one copy in the office and one copy at home. Additionally, DES maintains a copy of all plans in a secured file.

- Training sessions have been held for all DHFS divisions. Employees have been trained in their roles and responsibilities relative to the emergency or disaster.

- All critical eWiSACWIS system components have been constructed with fail over technology and redundancy. The fail over solutions have been tested.

- Data integrity for recovery purposes is maintained by restore from backup media which is stored off site and which has been tested.

- eWiSACWIS is fully accessed via the Internet thus workers displaced by an agency network or office disaster can relocate to a designated local agency with Internet access and resume key child protective service business functions. County agencies are responsible for the maintenance of business resumption and continuity plans.

Future State Plans for Disaster Recovery (Under Development)

In the event of a disaster, the DHFS, DES has a plan for eWiSACWIS. The eWiSACWIS Recovery will be accomplished via real-time server mirroring at the new DET Data Center. This center will serve as a real time, failover system for all of the eWiSACWIS production servers. These servers will consist of iChain (our security/authentication server), the WebSphere Application Servers, and the Oracle Database servers.

If any of the servers at the primary DET server site fail, the servers at the new Data Center will immediately become the new primary servers. This will result in minimal downtime for our user community and will serve as a perfect backup to our eWiSACWIS data as the data is consistently mirrored at both locations. This real time mirroring of data at two locations several miles apart will serve as additional security and consistency to our nightly database backups.

Role of the Division of Children and Family Services (DCFS) Department of Health and Family Services

The division has continuity of operations plans in place for the following:

- Regulation of child care and child welfare programs;
- Adoption Assistance, Subsidized Guardianship, MA, and State Foster Care Payments;
- eWiSACWIS;
- Program eligibility;

- Paternal Interest Registry;
- Division Administrative Support; and
- Interstate Compact on the Placement of Children (ICPC)

In addition, the division shall assist in the planning, developing, and implementing of Emergency Plans. DCFS shall further assist all counties and municipalities in the state in the planning, developing, and implementing of Emergency Services for children and families that it serves. Departmental personnel coordinate their emergency planning and response functions with the American Red Cross, the Salvation Army, Local Health Departments, Local Social Service Agencies, Area Agencies on Aging, and other agencies, as appropriate.

Wisconsin Department of Children and Families (DCF) and Wisconsin Department of Health Services (DHS) Health Oversight and Coordination Plan

The federal Fostering Connections to Success Act (FCSA) of 2008 requires that a plan be developed for ongoing oversight and coordination of health care services for children in foster care placements. This plan must be developed with the Medicaid Agency, which in Wisconsin is the Department of Health Services, in consultation with medical and child welfare experts. The FCSA identified several areas that must be included in the plan. Each of these areas is identified below.

The Health Oversight and Coordination Plan must be submitted with the five-year Child and Family Services Plan (CFSP), which is the child welfare state plan for Title IV-B.

The Department of Children and Families (DCF) and the Department of Health Services (DHS) have a joint Executive Team meeting on a quarterly basis to collaborate and coordinate on various topics of mutual interest. As a part of that process, the Secretaries of each Department have agreed to create a work group to address issues related to the health care of children in foster care. From DHS, participants will be from the Bureau of Benefits Management within the Division of Health Care Access and Accountability. From DCF, participants will be from the Division of Safety and Permanence and the Division of Prevention and Service Integration, and the Bureau of Milwaukee Child Welfare Medical Director. Meetings will occur at least quarterly, but will be more frequent as necessary. The initial issues the group will address are described below.

CFSP Issue 1: Schedule for initial/follow-up health screenings for foster children to meet reasonable standards of medical care

- Every child who enters out-of-home care is required to have a comprehensive health assessment that meets Early and Periodic Screening Diagnosis and Treatment (EPSDT) standards scheduled within 30 days of entry. Ongoing efforts are required by DCF staff to improve compliance with this expectation.
- Wisconsin Administrative Rules covering children in foster care requires that medical and dental examinations are carried out in accordance with the schedule of the EPSDT (HealthCheck) program. The HealthCheck visit schedule is in compliance with federal Medicaid standards. Review of best practices for this unique population and adoption of policies that further specify the content, timing and scope of health assessments and the coordination of care will be considered.
 - The Dental Periodicity Table for HealthCheck now requires that the first dental exam occur at the eruption of the first tooth and no later than 12 months. A Medicaid Provider Update was developed in fall 2008 and will be shared with DCF staff, county staff and contracted service providers to inform them of this important change.

CFSP Issue 2: Monitoring of health needs for foster children (including mental health and dental)

- We will investigate opportunities to share aggregate population data to better identify subpopulations of children in foster care at risk for problems or complications.
- Existing Medicaid policies will be reviewed to identify strategies to improve the early and continuous screening of children in out of home placement for special health care needs.
- The use of existing pediatric quality of care indicators will be explored to evaluate the performance of the healthcare delivery system for children in foster care. Areas that will be reviewed include: individual and population-based outcomes; physical, behavioral, dental and developmental status.

CFSP Issue 3: Updating and sharing medical information for foster children (perhaps including electronic health records)

- Strategies to improve the use of existing SACWIS healthcare data elements will be pursued.
- The use of MOUs and data-sharing agreements, electronic databases, and foster care health “passports” will be considered as potential tools through which DCF and DHS could work collaboratively to improve health outcomes for children in out of home care.
- We plan to collaborate on behalf of children and families through cross system data sharing but we recognize that there are stringent state and federal confidentiality laws (HIPAA, for example) that may prevent the sharing of health information. To ensure full compliance with these laws, we will explore our ability to share data between Medicaid and child welfare.

CFSP Issue 4: Ensuring continuity of health care for foster children (may include a medical home for every child in care)

- Promising practices to support care coordination will be recognized and encouraged. This will include ensuring that all children in foster care have a primary care physician and may also include the exploration of community-based medical homes and managed care models.
- We will build on the strong foundational base of Medicaid to develop strategies that increase the likelihood that children in out of home care receive the transitional planning and follow up services necessary to assure continuity of health care while in placement.
- Cross system capacity to effectively share assessments and recommendations leading to appropriate services, supports and continuity of care across transitions and reunification will be identified.

CFSP Issue 5: Oversight of prescription medication for foster children (including psychotropic medications).

- We will seek to improve the coordination, integration and oversight of behavioral and physical health for children in the child welfare system.
- The use of existing Medicaid drug utilization review strategies will be explored to evaluate the utilization of prescription drugs, including psychotropic medications, and prescribing practices for children in foster care.

CFSP Issue 6: Consultation with physicians in assessing health and well-being and determining appropriate treatment for foster children

- The overall goal of a physician consultant in the child welfare context should be to promote and facilitate the delivery of quality health services designed to meet the unique needs of children served by the child welfare agency. This may best be accomplished through a dual approach of providing consultation and assistance to social workers in addressing the needs of individual children, as well as working at a systems level to affect the delivery of health care services to the population of children in foster care.
- Key responsibilities of our Chief Medical Officer at the systems level include identifying the strengths, gaps and factors contributing to barriers in health service delivery for children served by the child welfare system. Identifying system level needs requires assessment of both condition-specific and population-specific health data, health education needs, and barriers and resources within individual communities. The physician, in collaboration with other systems partners, can then develop a focused plan of action to improve health services delivered to children in foster care, and to assure that their health and developmental needs are met.

Karen S. Timberlake

DHS Secretary Karen Timberlake

8/31/09

Date

Reggie Bicha

DCF Secretary Reggie Bicha

8-12-2009

Date

November 2, 2009

ACF Region V Questions on FFY 2010 Wisconsin CFSP

1. Describe the progress made in areas of training, technical assistance, research, evaluation, or management information systems in support of goals and objectives (page 6).

DCF Response: Regarding goals, child welfare staff training is addressed under 2004-2009 goal 3. See progress descriptions on page 22 of CFSP. Technical assistance is addressed under several 2004-2009 goals, including goal 1 on pages 19-20, goal 2 on pages 20-21, goal 3 on pages 22-23, and goal 4 on pages 23-24. Management information system is addressed under Goal 6 on pages 24-25.

Regarding overall progress, see section IX on child welfare system factors, including information system starting on page 130, research and evaluation starting on page 131, and training and technical assistance starting on page 136.

2. Methods to be used in measuring the results, accomplishments, and annual progress toward meeting the goals and objectives (page 8).

DCF Response: The 2010-2014 goals are defined on pages 13 – 18 of the plan. For items that pertain to measures used in the federal CFSR process, achievement of the CFSR measures will be used to measure results. Many of the goals are ongoing activities that quantitative measures are not suitable. Achievement of these items will be described in the Annual Progress and Services Report.

3. Describe how Wisconsin will ensure a coordinated strategy to identify and respond to the health care needs of children in foster care placements, including mental health and dental health needs (pg 10-11). Page 118 of your proposal states that you are in the process of developing. This requirement was effective October 1, 2008 unless legislation needed to comply. Our files show that Wisconsin requested a delayed effective date for this requirement.

DCF Response: The Department of Children and Families completed a health care Coordination Plan with the Department of Health Services. The attached plan was signed in August 2009 and should be added as an appendix to the Wisconsin CFSP. The two agencies are beginning regular meetings to work on the plan, with meetings likely held on a quarterly basis.

4. Include a combined title IV-B and IV-E training plan for staff development and training (pages 12 and 13).

DCF Response: A detailed training plan that describes the training courses offered through the Wisconsin Child Welfare Training System by the Child Welfare Training Partnerships is being finalized and will be submitted separately.

5. Describe any evaluation, research and/or technical assistance activity underway or planned with which the State agency is involved or participating and which are related to the goals and objectives of the 5-year CFSP (page 13).

DCF Response: Evaluation activities are described starting on page 131 of the plan.

6. Include a description of the QA system to regularly assess the quality of services under the CFSP and assure that there will be steps taken to address identified problems (page 13). Clarification needed.

DCF Response: Quality assurance activities are described starting on page 133 of the plan.

7. Attachment C Assurances or Certification for title IV-B, subpart 1, title IV-B, subpart 2, and CAPTA are not signed (page 14).

DCF Responses: Corrected assurances with signatures were submitted.

8. Provide notification of substantive changes in State law, if any could affect Wisconsin's eligibility for CAPTA. To clarify, the State agency is receiving health provider's notifications although via Public Health and not directly from providers, correct? Was there major legislation changes or State changes around criminal background checks for prospective foster and adoptive parents, or other adults which could impact CAPTA eligibility? (page 14).

DCF Response: The Department of Children and Families is pursuing one legislative change to improve conformity with federal CAPTA requirements. Current stat law requires health care providers to report instances of substance-exposed infants to county human or social service departments. These reports by health care providers are not being consistently records as child protective services (CPS) reports. 2009 SB 347 clarifies the requirements for health care providers that such incidents must be reported to the CPS agency, which will assess the case for treatment and other service needs. . The bill is expected to pass in November 2009 and the final act will be submitted as an amendment to the CAPTA portion of the Wisconsin CFSP.

There were no changes in state caregiver background requirements during the FFY 2009 period. The current caregiver background check provisions are described on pages 64-66 of the plan.

9. Unable to locate a description of the approach (es) being used to make room and board available to youth ages 18 – 20 (page 15-16).

DCF Response: The use of Chafee funds for room and board is described on pages 84 – 86 of the plan.

10. Address how Wisconsin will use objective criteria to determine eligibility benefits and services and for ensuring fair and equitable treatment of benefit recipients (page 18).

DCF Response: The eligibility for Chafee Foster Care Independent Program services for youth was modified in DSP numbered memo 2008-08 issued in December 2008. The memo should be added to the Wisconsin CFSP as a new attachment. Eligibility for Chafee ETV services is specified on page 87 of the plan.

11. For comparison purposes, submit the amount of title IV-B, subpart 1 funds that the State expended for child care and adoption assistance payments in FY 2005.

DCF Response: As specified on page 27 of plan, Wisconsin does not use Title IV-B subpart 1 funds for foster care maintenance payments. No IV-B subpart 1 funds were spent on maintenance payments in FFY 2005.

12. For comparison purposes, submit the amount of non-Federal funds the State expended for foster care maintenance payments and applied as match for title IV-B, subpart 1 program in FY 2005 (page 23).

DCF Response: No state funds spent on foster care maintenance were used as match for IV-B subpart 1 in FFY 2005 or currently.

13. I noticed that the CFS-101 is signed by Robert Nikolay. Is it OK for him to sign for the Department?

DCF Response: Robert Nikolay is the Budget Director for the Department of Children and Families and the person with delegated authority from the Wisconsin Governor's Office to sign for federal grants.

STATE OF WISCONSIN
Department of Children and Families
Division of Safety and Permanence

DSP Memo Series 2008 - 08
November 14, 2008

Re: Chafee Foster Care
Independence Program
Eligibility for Out-Of-
Home Care Youth

To: Area Administrators/ Human Services Area Coordinators
Bureau Directors
Child Placing Agency Directors
Child Welfare Agency Directors
County Departments of Community Programs Directors
County Departments of Developmental Disabilities
Services Directors
County Departments of Human Services Directors
County Departments of Social Services Directors
Indian Child Welfare Directors
Licensing Chiefs/Section Chiefs
Tribal Chairpersons/Human Services Facilitators

From:

Cyrus Behroozi
Administrator



The intent of this memo is to notify agencies of changes in Wisconsin's eligibility criteria for the Chafee Foster Care Independence Program (CFCIP) and Education and Training Voucher (ETV) program funding. Inconsistent application of program eligibility criteria across the state necessitated a review of eligibility policy for services under the John H. Chafee Foster Care Independence Act of 1999 (Chafee Act) and the State of Wisconsin's Independent Living (IL) Program. The revised eligibility will go into effect for calendar year (CY) 2009 for counties and fiscal year (FY) 2009 for tribes.

Federal Eligibility Requirements

According to Section 477 (b)(3)(A) of the Social Security Act, each state may define the specific population served under CFCIP, but must serve youth between the ages 18 and 21 who left foster care at age 18. Additionally, the Chafee Act, consistently refers to eligibility in terms of "youth in a foster care placement"; with the intention of assuring youth who meet the following criteria receive the services and educational supports necessary to become self-sufficient upon leaving care. Eligible youth are those that: 1) have been removed from their biological parents or legal guardians and placed in foster care, 2) are "likely to remain in foster care until age 18" and 3) are identified as "children aging out of foster care".

Wisconsin Eligibility Requirements

Former Criteria: In Wisconsin, the practice had been that only youth placed in Out-of-Home Care (OHC) for at least six months after the age of 15 (as the result of a Child Protective Services court order), or Juvenile Justice youth with a documented Child Protective Services (CPS) history qualified for Chafee funded services. Once eligibility had been determined, youth remained eligible up to age 21, regardless if

Document Summary

To maintain consistency among Wisconsin State Statute, the Foster Care Independence Act, Chafee state plan, and federal reporting requirements, the eligible population for Chafee funded services in Wisconsin is amended for 2009. Eligibility will now apply to all youth who were placed in OHC by county and tribal agencies for a total of six months between the ages of 15 and 18, for as long as they remain in care and will continue to age 21 for those youth who age out of care at 18.

they remained in an OHC placement. Under this practice, Juvenile Justice youth with court ordered out-of-home care placements were not eligible for Chafee funded services, unless they had co-occurring CHIPS/Juvenile Justice issues.

Rationale for Change:

- Chapters 48 and 938, Wis.Stats., require that all youth age 15 or older in OHC receive an independent living skills assessment and service plan as part of their permanency plan. However, the former Wisconsin eligibility criteria limited the use of Chafee CFCIP and ETV funds to those youth in OHC under CHIPS or dual orders. This created situations where counties and tribes could only use their Chafee funds to service some of their youth with independent living services.
- Federal Chafee funding is allocated to states based on children in OHC as reported to the Adoption and Foster Care Analysis and Reporting System (AFCARS), including juvenile justice placements. New federal reporting requirements for the National Youth in Transition Database (NYTD) will require Wisconsin to report independent living service and outcome information for all youth in court ordered OHC, regardless of their legal status. In addition, certain groups of children have also been made eligible for Chafee funded services under a federal waiver or the Chafee program state plan. This includes children in Subsidized Guardianship and children adopted after age 16.
- To maintain consistency among Wisconsin Statutes, the Foster Care Independence Act, the Chafee state plan, AFCARS reporting requirements, and the NYTD reporting requirements; the eligible population for Chafee funded services (both IL and ETV) in Wisconsin has been amended. The new CFCIP and ETV eligibility requirements focus on the need to provide independent living assessments and services to all youth age 15-18 while in out of home care and transition services to youth aging out of care at age 18.

New Criteria: Eligibility for Chafee funded services will now apply to all youth who were placed in OHC by county and tribal agencies for at least six months between the ages of 15 and 18, for as long as they remain in care. This change includes new eligibility for Juvenile Justice youth who are in OHC under JIPS or Delinquent court orders with no CPS history. Eligibility will no longer include youth that were receiving services as a result of a former placement in out of home care, and are currently not in an OHC placement. However, any youth over the age of 18 who had become eligible for services under the former criteria prior to January 1, 2009, will maintain their eligibility up to age 21. For those youth that age out of care at 18, eligibility will continue for transitional services up to age 21. *Youth who leave OHC for any reason other than aging out of care, such as incarceration or reunification prior to the age of 18, are no longer eligible for Chafee funded IL services.* County/tribal agencies may chose continue providing independent living services to youth who have been reunified or incarcerated with local funding, but would not consider these youth as Chafee funded participants in the Independent Living Program.

This means that in order to be eligible for Chafee funded services, youth must now either:

- 1) Be currently placed in an OHC setting under the care and supervision of the state, county or tribe (does not include correctional facilities, detention facilities, forestry camps, training schools or any other facility operated primarily for the detention of children);
- 2) Exited OHC after age 15 and six months to Subsidized Guardianship or Long-Term Kinship Care (with permanent legal guardianship) and currently in those placements;
- 3) Been adopted after the age of 16 from one of the above listed placements;
- 4) Left care from one of the above listed placements at age 18.

The table below indicates the populations eligible for specific Chafee funded IL Services, under the new criteria:

Population	IL Services Age 15-18	ETV/Scholarship	Room and Board	Transition Services Age 18-21
Age 15 and 6 months in court ordered OHC placement (including, Subsidized Guardianship, Court Ordered Kinship Care, Supervised IL) for as long as the youth remains in care.	X	N/A	N/A	N/A
Left court ordered OHC care at 18.	N/A	X	X	X
Left Subsidized Guardianship at 18.	N/A	X	X	X
Left Long Term Kinship Care at 18.	N/A	X	X	X
Adopted after 16	N/A	X	N/A	X
Reunified at any time after the age of 15.	N/A	N/A	N/A	N/A
Age 15 6 mos – 18 but currently incarcerated.	N/A	N/A	N/A	N/A

Funding and Data Implications

Recent Federal Legislation makes it possible for teens that leave foster care or are adopted after their 13th birthday to indicate their status as an “independent student” on the Free Application for Federal Student Aid (FAFSA) form for college aid, which will likely increase their chances of receiving additional financial aid for college.

Beginning CY 2009, new functionality in eWiSACWIS will be used to record IL/ETV services to eligible youth, both for services while in OHC and for transitional services after age 18. Counties will be required to use eWiSACWIS to report IL/ETV services—replacing the current annual paper reporting process. Beginning in FFY 2010 (October 1, 2009 to September 30, 2010), Wisconsin must report NYTD data for IL services to youth in OHC, IL transitional and ETV services to youth age 18-21, as well as outcome information on youth who were in OHC at age 17 up to age 21.

The 2010 IL/ETV allocations to counties will be based on past practice of determining allocations and DCF will hold counties and tribes harmless. The 2011 allocations will be based on independent living data reported in eWiSACWIS; more accurately reflecting Wisconsin's eligible population of youth served with Chafee funds.

More detailed information regarding paper and electronic reporting requirements, recording services in eWiSACWIS and the methods to be used for determining future allocations will be identified in a future memo.

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