



DCF 56 Advisory Council Meeting

Wednesday, March 20, 2024

12:00 – 2:00 p.m.

Division of Safety and Permanency – Advisory Council

VIRTUAL Meeting

DCF Staff			
Name	Present	Name	Present
Shannon Braden		Elaine Pridgen	x
Emily Erickson	x	Jennifer Sailer	x
Dana Johnson	Absent with notice	Britny Isaacs	Absent with notice
Shelby McCulley		Kristie Buwalda	x
Jonathan Wilcoxon	x	Chuck Stephens	x
Allison Fern	x	Lauren Washington	
Rachel Nili	x	Julie Collins	x

Steering Committee Members (not required to be in attendance for this meeting)				
Member	Present	Nominating Organization	Agency Employed	Area of Expertise
Lisa Broll		Wisconsin County Human Services Association (WCHSA)	Walworth County Department of Human Services	Ongoing Child Welfare and Foster Care
Emily Coddington		Wisconsin Association of Family and Child Agencies (WAFCA)	Wisconsin Association of Family and Child Agencies (WAFCA)	Child Welfare
Jill Collins	x	Division of Milwaukee Child Protective Services (DMCPS)	Division of Milwaukee Child Protective Services (DMCPS)	Ongoing Child Welfare and Foster Care
Deanna Collins		Forest County Potawatomi Tribe	Forest County Potawatomi Tribe	Ongoing Child Welfare and Foster Care
Brent Ruehlow		WCHSA	Jefferson County Department of Health and Human Services	Ongoing Child Welfare and Foster Care
Machelle Shipman		WAFCA	ANU Family Services	Private Child Placing Agency



Advisory Council Members (17 participants with DCF staff)				
Member	Present	Nominating Organization	Agency Employed	Area of Expertise
Kristen Agenten	x	Public Adoptions	Children's Wisconsin	Foster Care and Adoptions
Patty Baker	x	Wisconsin Child Welfare Professional Development System (WCWPDS)	Wisconsin Child Welfare Professional Development System (WCWPDS)	Child Welfare Training
Cassandra Eggert	x	WCHSA	Outagamie County Human Services Department	Ongoing Child Welfare and Foster Care
Laura Goba		WAFCA	Children's Wisconsin	Private Child Placing Agency
Katlyn Graebner	x	WCHSA	Green County Health and Human Services	Ongoing Child Welfare and Foster Care
Kate Gravel	x	WCHSA	Dane County Health and Human Services	Ongoing Child Welfare and Foster Care
Laura Halonen-Schultz	Absent with notice	DMCPS	Wellpoint	Congregate Care Facilities and Services
Allison Higgins	x	WAFCA	Foundations for Healthy Transitional Living	Private Child Placing Agency
Julie Kay		Forest County Potawatomi Tribe	Forest County Potawatomi Tribe	Ongoing Child Welfare and Foster Care
Andrea Leaman	x	DMCPS	Children's Wisconsin	Ongoing Child Welfare and Foster Care
Michelle Jones Lim	x	WCHSA	Waukesha County Health and Human Services	Ongoing Child Welfare and Foster Care
Tracy Schumacher	x	WCHSA	Forest County Human Services	Ongoing Child Welfare and Foster Care
Brittany Shellenberger	x	WCHSA	Winnebago County Health and Human Services	Ongoing Child Welfare and Foster Care
Julie Zidek	x	Public Adoptions	Lutheran Social Services	Foster Care and Adoptions

Other Attendees

Karla Meyer, April Matiatos, (student at UW-Stout) Karen Steinback (La Causa)



AGENDA

(12:00-12:05)	I. Call to Order, Welcome, and Introductions
(12:05-12:15)	II. DCF 56 Rule Revisions 56.04
(12:15-12:55)	III. DCF 56 Rule Revisions 56.09
(12:55-1:00)	BREAK
(1:00-1:30)	IV. DCF 56 Rule Revisions 56.14
(1:30-1:50)	V. DCF 56 Rule Revisions 56.16
(1:50-2:00)	VI. Next Steps
(2:00)	VII. Adjourn

ASSURANCES SECTION (Adding to Eligibility section 56.04) To align with federal model will have an assurances section; consider background check section as a better place to house these sections of Rule.

- Council believes that these make sense to move to another section.
- Vaping in out of home care has been asked and discussed.
- Assurances should apply for foster child and biological child. Trying to be clear regarding pertinence for foster child.
- Discipline section: should be duplicated in 56.09(1)(9K) as it applies to this section.
- 56.09(1)(9k) Corporal punishment;
 - Duplicate in Discipline Section of the rule.
- 56.05 (1) Use of illegal substances; **(consult with the Office of Legal Counsel - OLC)**
 - Discussed language regarding 'Marijuana' and rule language "in the presence of a foster child" regardless of if you are in another geographic location where it is legal, a foster parent still can't use. Explored expectations of the agency.
 - Due to licensing requirements, it is recommended that WI law be followed even if over state lines in border communities. A consult with OLC is recommended.
- 56.09(4) (g)1 Smoking;
 - Vaping
 - Is it an accepted behavior for youth? It is believed to be the same as smoking and not allowed for youth (under the age of 18).
 - Recommended that clarification of vaping be included in rule text.
 - Area of rule to keep: *"Nothing in this paragraph shall be interpreted to interfere with traditional or established spiritual or cultural ceremonies involving the use of tobacco."*
- 56.05(1)(c) Prudent parenting;



- Consensus to have prudent parenting requirement from assurances moved back to the RPPS section and not included as part of the Assurances as not all applicants would know what RPPS is and therefore cannot agree to follow it. If we want it to stay in assurances, we will need to give guidance on how the licensing agency should inform the applicant re: RPPS.
- Prudent Parenting standards are not discussed initially upon application, but some counties include prudent parenting and training ahead of licensure. Prudent parenting is included in initial foster parent training upon licensure.
- Do we want or need more uniformity in rule for when this is to be discussed with potential applicants and licensees?
- Need to consider moving this information to the Background Checks section.

56.04 Applying for a license. **Flagged for DCF Project Sponsors for additional review**

- How do you interpret this rule and where boundaries are or should be?
- Conflict of interest; CPA's, financial overlay discussed
 - If direct contract is a conflict refer to another agency, Milwaukee may vary slightly as they they operate differently than the balance of the state.
 - Recommendation to allow more latitude for these areas to be decided locally.
 - Milwaukee faces these issues more often than other jurisdictions.
 - Dane County has a separate internal division to focus on the licensing process. The number of foster homes in Dane County is diminishing (and across the state). It is recommended that rule not make it harder to license potential resource homes.
 - Child welfare and other county agency staff often seek foster parent licensure, and this becomes an internal ethical dilemma. Recommended to bring more consistency to the rule regarding this.
 - Enforce confidentiality and ethics and boundaries instead.
 - When agency has discretion, they could abuse it and license staff as foster care parents.
 - Entire child welfare agency is off limits in some jurisdictions.
 - *How does this impact relatives?* Some agencies may need to refer to a neighboring county and have courtesy supervision or use a separate child placing agency (CPA) to make these decisions and provide support services.
- 56.04(4)(a)(3) Discuss risks of children residing with unvaccinated children. *Is there a significant risk?*
 - Not a recent issue. Recommendation to develop guidelines for children in placement.
- *Any other part of 56.04 that needs attention?*
 - "Completed application" *how does this translate into practice and how do we know when something is complete?* Provide more clarification on all of the pieces of application, such as background checks (For example when references are finished, does this equal a complete application?).



- “Married persons living together.”
 - Public Adoptions DCF 50.05 (1) Definition. In this section “applicant” means prospective adoptive parents who apply for a home study under this section and are any of the following: **(a) An adult married couple who live together**, have been married for at least one year on the date of application, and are applying for a home study jointly. There are times when a married couple are not living together (incarceration, estrangement/divorce in process, nursing home, missing) and they can’t adopt because they are not living together. Relatives have the option to do a Guardianship in order to achieve legal permanency. Non-relative applicants would have a barrier should the case go to TPR/adoption.
 - Two household persons who are assuming parenting responsibilities sign the application is stated later in the rule.
 - Adoptions said they work through the issues when this does not occur during original licensing or there is someone missing from the home.
 - Relative have options for permanency other than adoption that could be reviewed here (guardianship, voluntary, etc.).

56.09 Video and audio devices for surveillance (Recommended as new section to be added to future rule)

- FLAG FOR SPONSORS AND INTERNAL TEAM: Group home language – cameras should not be substitute for parenting. **Client/Patient rights DHS 94** should be referenced.
- Monitor used as designed (ex. baby monitor)
- Consider development of a child and not only age of child.
- *How do agencies currently address issue?*
 - We need more narrative about video monitoring, including home surveillance/security cameras for protection, whether allowed inside vs. outside. Include broad language as technology evolves. *Should we allow livestream cameras and are cellular phones required to be monitored or included in rule?* Maybe we consider adding video cameras to the Supervision of Children section. *Should live feed cameras be allowed in common areas vs. private areas of households?*
- Is there an age when use of a “baby monitor” is no longer appropriate?
 - Use sound monitors for older children; especially when sharing a room with another child.
 - Video monitors may require guidance on age appropriateness or restrictions (Age 3 was recommended as guidance for threshold).
 - *Is this issue recurring?*
 - Yes. Some counties experience the question monthly.
 - Often asked for specificity in where in rule does it say camera or surveillance is not allowed? Response usually includes a focus on



intent of use by the foster parent. Discussed client rights (foster parent) vs. patient right (foster child).

- **940.315** Places a global positioning device or a device equipped with global positioning technology on a vehicle owned or leased by another person without that person's consent **is illegal** unless they are a parent and there is no consent required – **Flagged for OLC Review**
- What are the questions you have in this section that you would want clarified in rule?
 - Cell phone and video usage: Often used as an ability to share with parents and questioning whether this falls under RPPS? *What are the limitations or potential ethical issues here?*
 - Recommended to address use of Snap Chat, Air tags, iPhone and changing technologies.
 - Consent will need to be addressed.
 - *Should we put anything about live feed cameras on common areas?* The child welfare memo would need to be updated/reviewed if this were to be added. **Flagged for Memo/Publication Workstream**
 - Use of “electronic monitoring and cameras” added to the rule language (revised)
 - Recommendation: If it records, it must be court ordered.
 - Recommendation: Video is not allowed even for infants unless court ordered.
 - Recommendation: Allow for medical use.
 - Recommendation: Create a distinction for live feed.
 - Referenced Memo:
<https://dcf.wisconsin.gov/files/cwportal/policy/pdf/memos/2012-02-lic.pdf>

56.09 Searches (1)(h)

- Is this an issue faced by your agency in working with licensees?
- “A foster parent may conduct a search of the foster child's room and personal belongings (update definition so this includes clothes) without the foster child's consent if the foster parent believes a search is necessary to **prevent harm** to the foster child or another person or because the foster child is violating a law.”
 - What if we delete the end of the above sentence? ~~or because the foster child is violating a law~~
 - Comments: May not be an issue for kids, they already feel like they are under a microscope. May not be well received by foster parents.
 - *Should we make it broader?* The word “harm” is too vague. Need to be clear about we are trying to fix if revised. Perhaps important to tie the search into the treatment plan (sex trafficking, suicidal, drugs). Foster parents may and should have rights outlined here.
 - *If the provision “~~or because the foster child is violating a law~~” is removed, what would providers reactions be?* Law violation and safety discussion



occurred (what is legal, who determines, what is safe, how to prevent unsafe issues, etc.).

- Important to include: the foster parent shall share information including the reason for the search, and whether any material has been confiscated with the child's supervising agency caseworker within 24 hours of the search.

56.09 Work and chores 56.09(3)

- *Are there any issues not currently addressed in existing rule?*
- *How are differences in chores addressed on farms?*
- *Where or who keeps the allowance?*
 - There is a section on allowance. Savings and accounts are discussions often occurring between licensing agencies and foster parents. Foster parent's setup accounts for children but questions related to whether these are foster parent accounts or child accounts needs to be determined.
 - Recommended: Savings accounts should be addressed in rule and belong in the Personal Belongings Section.
 - Recommended: Add that the 'Purpose of section is to help child gain independence.'
 - Do not want to create a dynamic where foster child works but biological child does not. *Is there something that needs to be included here regarding this?*
 - *Do we need to define "Chores" or re-define chores?* This may help provide better understand of what is and is not a chore.
 - Recommendation: OTHER: 56.09 bank/savings account – personal belongings also transfer with them.

56.09 (11) Case records

- *How do you currently address disposal of case records once a child leaves?*
 - Recommendation: Make this a requirement and provide detailed instructions.
- *Do you look to see what records the family keeps?*
 - The records should transfer to the next foster home upon a change of placement (thereby not being kept by a foster home).
- *Do we require any information on behavioral health/counseling/substance abuse treatment somewhere else?* If not and foster parents are tracking medical and dental information, should we consider also keeping track of therapy information?
- *Is there a reason the foster parent should be in charge of obtaining notes from providers of the child?* Child Welfare Professional can obtain school, medical and treatment records from the provider as needed.



- Agency is required to provide document Foster Parent A & B (info regarding a child and identified family social history known at the time of placement - which is identified in 56.09(11)). They are required to report severe illnesses and accidents in the SIR section of the form
- *10. Reasonable and Prudent Parenting – do they keep a record? Is this required under RPPS? If needed, could we just insert this requirement in RPPS if we delete case records?*
- *10.c. Why are we examining the record? Ethical concerns noted.*
- Recommendation: Keep A & B, after visit summary, report cards..”not limited to” language.