



## DCF 56 Advisory Council Meeting - NOTES

1/17/2024 12:00 – 2:00 p.m.

DCF Staff			
Name	Present	Name	Present
Shannon Braden		Elaine Pridgen	x
Emily Erickson	x	Jennifer Sailer	x
Dana Johnson	x	Britny Isaacs	x
Shelby McCulley	x	Kristie Buwalda	x
Jonathan Wilcoxon	x	Jay Warner	x
Allison Fern	x	Chuck Stephens	x
Lauren Washington	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		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	x	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



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

**Other Attendees**

**Karla Meyer**



**Sharon Duke (Antigo)**  
**Jamie Socolick**

DCF 56 Advisory Council Meeting

**Wednesday, January 17, 2023**

12:00 – 2:00 p.m.

Division of Safety and Permanency – Advisory Council

VIRTUAL Meeting

Meeting Link:

<https://dcfwi.zoom.us/j/86962719002?pwd=RjFqREhRY1o3c3VjMIRpU2c3d1RRQT09>

## **I. Call to Order, Welcome, and Introductions**

## **II. DCF 56 Rule Revisions 56.08 – Comments and Advice from Members of the Council are indicated below. Bolded items are sections of Rule or general areas of requested advice.**

**Electricity - Outlet Covers** Should be based on developmental level of child vs. chronological age. The child team's decision on when these are needed is recommended. Considerations of whether required of licensing vs. placement of a child was discussed.

**Car seats** - Prefer this to be open to manufacturer recommendations and DOT law, so it allows for potential safety changes with new technology. We could indicate to read instruction manual and follow rules on car seat and your vehicle. Recommended weight and ages change at times. Federal language is more workable, but Wisconsin may wish to be clearer so that kids who may need to use the car seats and boosters due to weight and size, can be accounted for.

**Flagged for DCF Review:** Need to understand State law. Car seat questions are frequent by licensing agencies and foster parents. It is helpful to allow agency discretion due to needs of the individual child. Guidance is helpful on allowing kids to sit in the front seat of passenger vehicles.

**Fire extinguishers** – Recommended we do not include required location of each but readily accessible and know how to use. Include in rule that the extinguisher must not be expired.

**Safety inspection** - Helpful in culturally diverse communities, such as Amish communities, as it allows an inspector to come and check that items are properly installed. Can be useful in homes where applicants hoarding behavior may limit their licensure and determine if it would impact fire safety.

**Carbon monoxide detectors** - There should be a carbon monoxide detector required on each floor and perhaps follow building code requirements. No need to indicate where in each house and we should remove the language regarding 1- and 2-unit apartments, etc.



**Disaster plans** - Foster parents to give to the agency in case of a flood or disaster so they know how to reach the family in an emergency. Example: A county used a disaster plan to locate family during a flooding situation; may not be as necessary as it once was, as more people have computer emails and cell phones, rather than landlines (when the rule was originally written). Assists with locating foster children in an emergency situation. Emergency plans are infrequently used but can be very helpful if needed.

Some counties upload disaster plans into eWiSACWIS, others just keep a hard copy in the file.

**Flagged for DCF Review:** Should this process be unilateral across counties?

### III. DCF 56 Rule Revisions 56.09 - Comments and Advice from Members of the Council are indicated below. Bolded items are sections of Rule or general areas of requested advice.

Overwhelming support to keep Care of Children guidance in rule. This section is used as a talking tool and provides guidance to the foster family. Helps explain to families how and why to treat a child. Needed to provide guidance and is used as a teaching tool. Provides good examples for allowing children to express their personal freedom. Promotes normalcy & respect for children.

#### **If someone did not follow the Care of Children, what recourse is there?**

In the licensing process, licensors ask applicants questions such as how they celebrate birthdays, cultural celebrations like Christmas, and that this may cause a disconnect between a foster parent's beliefs and a child's beliefs. Thus, in turn, impacts matching/placement. They would not likely revoke a license for failure to provide all elements in this section of Rule unless it was severe. Corrective action plans are used and licensors reference 56; coincides with prudent parenting standards (federal rule). Licensors use this section as a roadmap for working with foster parents. This section assists in informing additional training needs. Recommendation to provide information to the family's about wrap around services.

**Is this the correct location (licensing vs. placement)?** Leans to placement rather than licensing, perhaps include in a placement 'phase' in Rule.

#### **Subsections:**

- **Conducting a search on youth's room.** Need to specify when the foster parent notifies agency about the search. What constitutes "necessary to prevent harm?"
- **Expectation that the foster parent sends along all the child's belongings.** Include in this section.
- **Language about sibling connections/like-kin and other connections should be included in this section.** Would allow agency the ability to do a corrective action plan.
- **Combine normalcy and care of children sections.**
- **Foster parent handbook** could include some of these requirements into the handbook and a family would agree to follow the handbook instead of rule. Handbooks are not



referred to by foster parents regularly, but there is an Agreement used with foster parents (signed and filed). Perhaps we use the Agreement for these areas.

- **Physical restraint:** In practice, when youth from higher levels of care step-down, recommendations from therapists may require hands on restraint (non-harmful). Liability concerns raised as to how physical restraints may impact foster care parenting and placement. Discussed the use of "Imminent". This section could outline additional training requirements for foster parents in techniques for specific children placed in their home that require restraints as part of their therapeutic approach. Does not specify you cannot use handcuffs/tool to restrain; we may wish to include this. Waiver mandates that you need doorknob lock but that is not in alignment with licensing (cannot use a doorknob with a locking device to exit and this is contradictory to other area of Rule.

**56.09(4e)** Do we need a timeframe and how is it communicated? Is this connected to serious incident reporting? If we are asking foster family to report; should the youth be able to report as well, or at least be able to provide information to the licensing agency (whether as part of a formal Initial Assessment or an interview of the child by the agency). Notify the treatment team and have access to the child.

**Supervision of children.** Regarding working outside of the home, identify appropriate childcare should be included. Employment is documented in the home study. Do we even need this stated as it is given an exception 95%? Recommendation to remove this as it is a common exception. Prudent parenting allows for employment up to a certain amount of time per week. Licensors want to make sure the family has a plan for childcare. Is employment flexible to take off work for appointments and is this a hinderance for working families? If day care is not available in a foster parent's area this creates an issue for recruitment. Access to alternative hour childcare is not readily available and/or may not be from a licensed provider. Can we broaden the ability for extended family of foster home or allow alternatives (teacher, etc) to provide day care? Have to ensure they are safe and appropriate caregivers. Perhaps we follow WI State childcare and licensing regulations and not be licensed but be compliant with those rules. Youngstar ratings are used in childcare settings, is this something we reference or define in Rule? What rating should be used for children in out of home care?

**Promoting normalcy** - Is this a licensing or a placement discussion? 2m(d)5 can't authorize for psychotropic, herbal supplements, etc. and is this a barrier? Would like more clarity around medication approval, use, and role of a foster parent in Rule. Medical authorization form is sometimes not completed by parents, it could be enhanced for more details and use. Some doctors will not accept this form.

**Flagged for DCF Review:** Medical Authorization Form to be revised.

**Health of foster children** – Some barriers to dental care and not able to be seen within 30 days, do we need to revise our language in the Rule so as not to sound like a 'mus?'. Change to as soon as possible or schedule permits. If the parent(s) does not sign the form, creates issues for receiving care and some doctors do not feel comfortable signing. Foster parents are concerned they will be sanctioned if they can't get the child seen within 30 days.



**Discipline** – Discussed potential revisions for varied ages and use of timeout and their effectiveness; research indicates longer timeout does not show that it is more effective. Unsure if there is evidence-based practice for length of timeouts and duration that can be incorporated in Rule. Focus is on what not to do, not on what should be done, perhaps revise language in this area.

**Clothing and personal belongings and spending money** - Should we include cellphone use in this section? Birth parents purchase a phone for their child and foster parents sometimes take it as a punishment. Include language to ensure child safety by monitoring cellphones. Cellphones should be provided to a foster child when they leave the foster home but there are safety concerns allowing kids to have unlimited access to their cell phones. **Spending money.** A foster child has a right to spending money, but there are questions around whether an allowance must be given to a foster child.

**Nutrition** - Families with religious preference is not noted here. Foster homes who lock away the food; include need to restrict in the treatment plan and is this appropriate? Foster children often have food insecurity concerns, and this may be contributing to their trauma.

**Education** - Does this need to be updated to include charter school's that may also include home-schooling schools that do not have physical buildings? Virtual school is allowed through public schools and is not considered "home schooling". Differentiate types of school allowed through DPI. Parochial schooling is also not mentioned into this section; discussion with birth parents to agree to parochial schooling. Some charter schools are also religious based. Education needs based on IEP to indicate the type of schooling needed.

- **Public comment was received to allow home schooling.** I am writing to suggest that DCF 56.09 (10C) be removed completely from the DCF regulations for the following reasons:
  - There are homeschooling families in WI who would open their homes to foster children if they could welcome these children into their homeschooling lifestyles.
  - Foster families who homeschool their own children, while fostering infants and toddlers, often terminate their fostering when the foster child is old enough to be required to attend a school.
  - Homeschooling is a legal option for students in the State of Wisconsin
  - Eliminating (10C) would streamline the placement process by removing the need to draft and provide support for exceptions.
  - Currently, some WI counties adhere strongly to (10C) while others are finding a need to seek more and more exceptions to it. Eliminating (10C) would provide a more unified approach across the state while giving more freedom to local case workers.
  - Eliminating (10C) does not eliminate the ongoing state and federal (ESSA) requirements for Local Education Agencies and Local Welfare Agencies to consider together the child's best interest while making educational decisions for the child.



- Homeschooling as an educational option has matured and stood the test of time, the only educational option to have weathered and even thrived during the Covid-19 years. This option can be the very stability that some foster children need.
- Homeschooling can be a healthy option for those in foster care who have not done well in the schools.
- Several of the reasons presented for originally drafting (10C) in the Administrative Code Annotated are outdated and no longer reflect accurate scientific studies.
- In reading some of the previous notes and minutes of your revision groups' meetings, I noticed the suggestion that parts of the code that create the need for numerous exceptions could be removed, to allow a more streamlined process. I believe complete removal would be the best move for (10C).

**Case records** - No comments.

**Confidentiality** - Social media and posting photos should have more guidance and the child's feelings and well-being should be addressed. There are further ethical questions and dilemmas that need to be explored in this area.

#### **IV. Next Steps**

#### **V. Adjourn**

**UPCOMING MEETINGS: Advisory Council Meeting: 2/21/24 12:00 pm – 2:00 pm**