

DCF 56 ADVISORY COUNCIL MEETING

12/13/23 Noon – 2:00 pm

Steering Committee Members				
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
Mechele Shipman		WAFCA	ANU Family Services	Private Child Placing Agency

Advisory Council Members				
Member	Present	Nominating Organization	Agency Employed	Area of Expertise
Kristen Agentin		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		WCHSA	Outagamie County Human Services Department	Ongoing Child Welfare and Foster Care
Laura Goba	x	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	x	DMCPS	Wellpoint	Congregate Care Facilities and Services
Allison Higgins	x	WAFCA	Foundations for Healthy Transitional Living	Private Child Placing Agency
Julie Kaye	X	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 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		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
Jamie Socolick	x		Catholic Charities of the Diocese of La Crosse	
Karla Meyer	X		Catholic Charities of the Diocese of La Crosse	
Toni Rozanski	x		Casey Family Programs	

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

Began meeting at Noon.

DCF 56.07 Physical environment

56.07(2) Interior Living Area

Helps to have square foot guidelines; it can help with providing a safe and sanitary home and enough privacy. Building code considerations should be incorporate. Make sure it is a safe and appropriate and square footage is not as important. There are other parts in the rule that can address sanitary conditions which are more closely aligned to safety.

Kinship licensor felt that relatives should be able to be in close proximity. Allow a waiver for relatives.

(Discussion: this may be an area where requirements for relatives & non-relatives differ)

56.07(3) (b)(c) (d) – Get rid of lock & focus more on privacy. Older homes and renters – this can be a burden. If renting landlords say you can't switch a knob. Different styles of locks on older homes may pose a challenge for historical residences. Discussion should be documented that if no lock why that is. Outhouses – are attached in many Amish communities, this should be allowed but we should check with building code. In rural areas you need to have a septic system large enough to handle the number of people. Are teens more comfortable having a lock on the door? Does this need to be a rule in order for someone to become licensed? Having a lock may stall a foster parent getting access to the bathroom if a child is in crisis and would have access to razors or other dangerous things. Someone cited current rule says "may" be opened from the outside in an emergency.

56.07 (4) SLEEPING ARRANGEMENTS

No foster child 6 years of age or older may regularly share a bedroom with another child of the opposite sex. This is true regardless of the age of the other child. Some want safe sleep practices outlined more explicitly.

Get rid of sub b. and focus on safe sleep versus the actual age of the child. This is common for kids under age of 1, where kids are co-sleeping. What does sharing a room mean versus sharing a bed? Clarify the language. Many people share rooms with toddlers.

(c). No allowance for siblings to share a room at age 6. Gather more information and assessment if 6 is the right age. Consider sexual abuse history. Add asterisk for the workforce. Focus less on age and instead appropriateness of placement together.

Why is opposite sex called out?

Sibling set of multiples would split kids.

Sleeping arrangements 56.07(4) (1m) states co-sleeping with an infant is not allowable.

Assumes that only opposite gender sexual abuse occurs.

(e) No foster child may regularly sleep in any building, apartment or other structure on the premises, which is separate from the foster home, nor may any foster child regularly sleep in an unfinished attic, an unfinished basement, a hallway or in any room normally used for purposes other than sleeping. **No household member may regularly sleep in any of these places in order to accommodate the presence of the foster child.**

Many relatives live in a small home and relative may sleep in living room so child can have the bedroom.

(f) No foster child under the age of 7 years or a child with limited mobility or functioning may regularly sleep in a finished basement bedroom or in a bedroom above the second floor of a single-family dwelling.

(g) No foster child 7 years of age or older may regularly sleep in a finished basement bedroom or in a bedroom above the second floor of a single-family dwelling unless all of the following conditions are met:

1. There are 2 exits to grade from that floor level. Exits from a basement shall comply with s. SPS 321.03 (5) (b) and (6).

2. Provision has been made for adequate heating, cooling, ventilation, and humidity control.

3. Access to and exit from these locations are appropriate given the child's ambulatory level and use of mechanical devices, such as wheelchairs and walkers.

Depends on the layout of the home in some respects. Some tri-level homes are complicated and only have a few steps to get to a "new" level. If you can hear the child and monitor for safety would this, be a problem. Since it is in a box the exceptions panel at DCF would need to review this. Q: What does building code specify? The window also needs to be large enough for someone to get out of. Openable. Someone read the requirements for someone to be able to sleep in the basement.

Should we consider different standards for relatives and non-relatives?

It is expensive to install an egress window.

"Livable" space requiring two exits.

Consider the developmental needs of the child; is age 7 the right age to include in the rule.

(i) Each bedroom occupied by a foster child shall have a door for privacy, a window that allows natural light to enter, and adequate ventilation.

Would assume this would change if sleeping space requirements are made.

(*j) A sleeping room that someone must pass through to get to another part of the building may not be used for a foster child.

How would a young child feel if they never had a dedicated space for themselves?

What would privacy feel like in this space?

How long do we allow this to go on? Bio kids and others in the home may not be comfortable arrangements where someone is able to sleep on the couch. Consider wellbeing along with safety.

*(k) A foster child may not regularly sleep in a room to which access can be gained only through another occupied sleeping room.

A finished upstairs in an old house can hold many people but does not provide much privacy. Fire safety and sleeping also needs to be considered in (i) (j) (k).

Don't need to focus on safety of the outside play space. Individual building codes dictate some of this information as well.

Pools comes up a lot. Locked gates. Does not come up as long as they are insured. Supervision around use of the pool is more important. Be explicit about supervision around pools. More people have these temporary/blow up/more permanent pools.

Trampolines are also more popular.

Vehicle traffic is also mentioned. In certain high traffic areas, you can't feasibly erect a fence. How close is near-by?

Documented plan for situations related to pool hazards, traffic, etc. This will cast a wide net and plan to address them.

*(8) OUTDOOR RECREATION AND PLAY SPACE (b) this is really subjective and could change by licenser. HOA and other local rules may also limit someone's ability to erect a fence.

DCF 56.08 SAFETY – (1) does not specify an age. If you have placement of a suicidal child this list would be even longer and should be based more on age. (b) A licensee caring for a foster child who is under 7 years of age shall maintain protective covers on all electrical outlets not in use. Prefer the language of the federal rule which says consider age & development.

56.08(3) (b) Household pets known to be vicious or infected with any disease transmittable to humans may not be kept in the foster home or elsewhere on the premises. This is an issue for the farm. Need to make sure pets have rabies vaccine. Local ordinance and type of animal allowed. ADD: Vet won't vaccinate a cat unless documented by a veterinarian. Discuss that just because the dog is fine with the home owner does not indicate that they get along with the child. How are you ensuring safety around litter boxes. Dogs are kept in the basement and they just use the basement for the litter box and smell of feces and urine comes into the home. Important to keep section on pets & vaccines. More "unique" animals are

being kept in homes. Some families have withdrawn if they are not in compliance with local ordinance on type or number of animal(s).

56.08(4) Transportation: Amish families do not know the rules regarding transportation. They need to know this for the families that rely on others for transporting. There are opportunities for persons to buy a car seat and agencies have provided these. Feel this regulation needs to be kept in.

56.08(6)(c)

This was discussed in regard to prudent parenting and what is listed out in 56.08(6) There are standards for how old you need to be able to drive a UTV/ATV or tractor safety. You can take a safety course that shows you went through the safety class.

Snowmobile safety is also required for kids 12+ to operate a snowmobile.

1. No foster child may operate any machinery or equipment that is beyond his or her knowledge or mental or physical capability.
2. All hazardous machinery and equipment to be used by a foster child shall be maintained in safe and proper condition.
3. The foster child shall be under the general and appropriate supervision of a responsible adult when operating a hazardous machinery or piece of equipment. *This standard is dependent on the machine or piece of equipment. A child operating a tractor, for example, must be under close and direct supervision. The level of supervision may be eased, for example, with a power lawn mower.*

4. a. The foster child shall be trained by the supervising adult on the safe and proper use and operation of any hazardous machinery or equipment before actually operating the hazardous machinery or equipment.

b. The agency may require attendance at specific training that is applicable to an applicant's home environment, such as farm safety and logging safety.

5. The foster child shall wear clothing and safety gear appropriate to the operation of particular hazardous machinery or equipment.

56.08 (10) REPORTING FIRES. The licensee shall report by no later than the end of the next working day to the licensing agency any fire in the foster home or elsewhere on the premises that requires the assistance of the fire department. Does this need to be reported if no one was injured? This does not happen often.

(11) SAFETY OF INFANTS AND CHILDREN WITH DISABILITIES. Agency has discretion on what is needed. Follow recommendations of the hospital and CLTS and they tend to make sure needs of the child is met. Is this entire list necessary? **Keep (b). Give an annotation instead of listing everything out.**

(a) A licensing agency may impose additional safety conditions upon a licensee if the licensee

cares for a child under one year of age or a child with mental or physical disabilities when the age, impaired judgment, or mobility of the child creates additional safety risks.

(b) A licensing agency may require modifications to a foster home or other accommodations necessary to meet specific requirements identified by the child's team or treatment team. These modifications may include any of the following:

(12) STAIRWAYS. Each stairway shall have a handrail. Default to local building code. You could have a handrail and still have a safety concern. Sometimes a handrail is not able to be installed. Is this a barrier to renters? If this is not a safety concern, then this should not be addressed.

PROPOSED DRAFT: CF 56.09 Care of foster children

Repeal (1m) create (1n)

DCF 56.09 (1n) CAPACITY. (a) *Total number of individuals receiving care.* The number of individuals receiving care in a foster home, including the combined total of foster children, children of the foster parent who are minors or 18 years of age and in high school, other children, and adults who need care may not exceed the following:

1. In a foster home with a Level 1 to 2 certification, 8 persons.
2. In a foster home with a Level 3 to 5 certification, 6 persons.

[adds 18 in high school]

(b) *Number of foster children.* Care and maintenance may be provided for no more than 6 foster children in a foster home.

[4 to 6]

(c) *Agency exceptions.* Notwithstanding par. (b), a licensing agency may grant an exception to allow up to 8 foster children in a foster home if necessary to maintain any of the following:

[7 to 8]

1. A sibling connection.
2. A parental connection between a minor parent and minor child.
3. An established meaningful relationship between a child and foster parent.

[placement to relationship continuity]

(d) *Department exceptions.* Notwithstanding pars. (a) and (b), a licensing agency may apply to the department exceptions panel for an exception to allow care of 9 or more individuals, including foster children, in a foster home to maintain a relationship specified in par. (c) 1. to 3.

(e) *Exception procedure.* The licensing agency shall follow the requirements established under s. DCF 56.02 (2) when granting or requesting an exception under par. (c) or (d) and shall modify the license to reflect a reduction in the number of foster children in the home if any of the children leave.

DCF 56.16 Licensing agency responsibilities. (1) (o) Provide written notice to any placing or supervising agency with a child placed in a foster home prior to placement of a new child in the home. If written notice prior to the additional placement is not possible, the licensing agency shall verbally notify any placing or supervising agency prior to the placement and subsequently provide written notice.

(3) A licensing agency may limit the number of children placed in a foster home to a number below the capacities specified in s. DCF 56.09 (1n).

NOTE

FEEDBACK: How does this impact the ages of kids under the age of 2.

(g) Children under 2 years of age. A foster parent may not regularly provide care for more than 2 children under 2 years of age, including the combined total of foster children, minor children of the foster parent, and any other children.

Agency still has discretion to make sure the placement is appropriate. Just because they can be licensed for 6 you might not feel it is safe/appropriate to place 6 kids in that home.

Adoption feedback: They can go before the DCF exceptions panel.

Ended meeting at 2pm.