


STATE OF WISCONSIN  
Department of Health and Family Services  
Division of Children and Family Services

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

From:               Reggie Bicha   
                          Administrator

Re:                   Child Welfare Disaster Planning Frequently Asked Questions (FAQ) and Template  
                          Documents for Use in Disaster Planning

The Division of Children and Family Services (DCFS) has received many questions and requests for assistance from agencies seeking to implement new requirements in federal law for States to develop procedures and plans that address the child welfare system's responses to a disaster for programs funded by Title IV-B and IV-E. These changes were made by the Child and Family Services Improvement Act of 2006, which was discussed in *DCFS Numbered Memo 2007-08*. This informational memo provides additional guidance in a question and answer format and access to templates or guides that may be used in the development of child welfare disaster plans through the following web address: [lsswis.org](http://lsswis.org). (Click on Find a Program, Programs at LSS, Disaster Response, and LSS Disaster Human Services Project.) Use of the templates is optional, and the templates may be modified to meet individual requirements.

**1. Specifically, for which populations are Counties/Tribes/BMCW required to have procedures and plans in place that address the child welfare system's responses to a disaster?**

In general, the intent of the legislation was 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.

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.

**2. Can the counties and tribes reasonably rely on eWiSACWIS as part of their child welfare disaster planning--rather than having to plan for use of hard copy case documents?**

Yes, after a disaster, paper files may not be available, and up-to-date contact information on automated systems greatly expedites efforts to locate and serve children and families. One of the Department's initiatives this year is to create the capacity to run eWiSACWIS if the 1 W. Wilson Street building is unavailable due to a disaster. The intention is to have the capability, in case of the loss of the downtown building, to fail over to another location and continue running the eWiSACWIS application in a short period of time (less than 1/2 a day). Counties and tribes can reasonably rely on having eWiSACWIS available in the event of a local disaster, as automated systems allow staff in any part of the State access to information, and they allow central office staff to access information about children and families throughout the state.

**3. Why didn't the state just go to emergency government planning to meet the new child welfare disaster planning requirements?**

Wisconsin Emergency Management and each County Emergency Management Director has 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. 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 should be 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.

**4. Are family court judges aware of this new law? Does this new law mean that judges will require tracking of cases for continuity of service?**

Family court judges are likely not aware of this new law, as the disaster planning requirements in the Child and Family Services Improvement Act of 2006 only apply directly to child welfare agencies. Agencies are encouraged to contact and work together with their courts, particularly with regard to jurisdictional issues. The Bureau of Programs and Policies is also working with the Director of State Courts Office to identify legal and judicial system concerns for child and families related to disaster planning.

**5. Does the new law apply to voluntary supervision cases or just cases in which the court has an order on file?**

The new law applies in cases where there is a voluntary placement agreement, including a signed document between the agency and parent/legal guardian, and IV-E is claimed.

**6. Do contractual vendors need to follow the law too?** In child welfare agencies that have outsourced or privatized case management or significant service delivery responsibilities, expectations around preparing for and responding to disaster should be included in contracts and passed on to the contractor's staff. The contracts should specify that contractors develop, implement, and update disaster plans and provide these plans to the child welfare agency. The agency then knows the procedures to be followed during a disaster and can coordinate response across contractors and with the public child welfare disaster plan. It is also important for child welfare agencies to work together with vendors that provide residential care for children, such as residential care centers for children and youth, group foster homes, child placing agencies, treatment foster homes, and foster care homes. Template contract language for use with vendors that provide care for children is available at the LSS Disaster Human Services Project website.

**7. What if the placement is out of county? Does the county that placed the child bear responsibility for compliance or the county in which placement is made?**

The placing county has the responsibility for the child, but agencies may develop mutual aid agreements, which specify how each agency will assist the other in times of crisis, including sharing staff, facilities, and other resources. Template language for mutual aid agreements is Template contract language for use with vendors that provide care for children is available at the LSS Disaster Human Services Project website.

**8. What about tribal cases? Are the tribes aware of this law and what will they need to do to comply?**

Yes, Wisconsin tribes are aware of the requirements in the Child and Family Services Act of 2006, through DCFS numbered memo 2007-08, and meetings with DCFS staff. In addition, a Regional conference call regarding disaster planning was recently held with Carmen Sanchez, Tribal Program Specialist.

**9. How is the federal government monitoring compliance?**

States were required to provide procedures and strategies describing how the State would respond to a disaster in the Annual Progress and Services Report (APSR), required by the federal government in order to receive child welfare funding, which was submitted by Wisconsin on June 30, 2007. States may be required to submit assurances of compliance in future reports.

REGIONAL OFFICE CONTACT: DCF Area Administrator

CENTRAL OFFICE CONTACT: Bureau Director  
Division of Safety and Permanence  
Bureau of Safety and Well-being  
608.422.6970

MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>