

**Department of Children and Families  
Tribal Consultation Action Plan  
May 2017 to May 2018**

The Department of Children and Families and the federally recognized Indian Tribes of Wisconsin held a consultation meeting on May 10, 2017. This Action Plan is the result of that consultation meeting. The plan is a set of mutually agreeable short and long term strategies to address issues of interest to Tribes. The Department and the Wisconsin Indian Tribes agree to collaborate on these strategies and provide staff support as required to successfully achieve these outcomes by May 2018.

<b>Item 1: YoungStar Proposed Refinements</b>	<b>Responsible Party: Division of Early Care and Education – Amanda Reeve</b>
<p><b>History:</b> Tribal leaders requested a side by side comparison of the YoungStar proposed refinements that were verbally reviewed at the meeting.</p>	
<p><b>Outcome/Update:</b> The requested comparison is attached.</p>	
<p><b>Resources:</b> <a href="https://dcf.wisconsin.gov/files/tribal/pdf/youngstar-proposed-changes.pdf">https://dcf.wisconsin.gov/files/tribal/pdf/youngstar-proposed-changes.pdf</a></p>	
<b>Item 2: Child Care Expenses for Foster Parents</b>	<b>Responsible Party: Division of Early Care and Education – Amanda Reeve and Division of Safety and Permanence – Tania Cornelius</b>
<p><b>History:</b> Tribal representatives stated that their placement/foster parents were expected to pay for child care costs for children that were in out-of-home care. The Division of Early Care and Education clarified that foster parents should not have a co-pay for child care; however, there may be a difference in the amount of the SHARES payment and the rate of the provider which could result in a cost to the placement/foster home. The Division of Safety and Permanence clarified that child care costs may be included in the exceptional rate.</p>	
<p><b>Outcome/Update:</b> The department began meeting internally to identify the areas where child care and foster care policies overlap. A grid outlining each area is attached.</p>	
<p><b>Resources:</b></p>	

Item 3: Treatment Center for Women with Children	Responsible Party: DCF Tribal Liaison – Stephanie Lozano, in collaboration with the ICW Directors and the DCF Division of Safety and Permanence
<p>History:</p> <p>Tribal representatives voiced concerns regarding the need for a treatment facility where women can go with their children.</p>	
<p>Outcome/Update:</p> <p>DCF worked with the Wisconsin Department of Health Services to compile a list of available treatment facilities where women can go with their children in Wisconsin.</p> <p>Meta House <a href="http://metahouse.org/">http://metahouse.org/</a></p> <p>United Community Center (UCC) <a href="https://www.unitedcc.org/Default/ProgramsServices/HumanServices.htm">https://www.unitedcc.org/Default/ProgramsServices/HumanServices.htm</a></p> <p>Arc community Services <a href="http://www.arccommserv.com/">http://www.arccommserv.com/</a></p> <p>Additionally, two legislative bills (SB 767/AB 907 and AB 906/SB 768) were passed this session that provides for additional funding and services to address opioid abuse. A summary of this legislation is attached for reference.</p>	
Resources:	

**PROPOSED CHANGES TO YOUNGSTAR EVALUATION CRITERIA**

**GROUP CHILD CARE PROGRAM\*\***

	<b>3 Star Level Current Path</b>	<b>3 Star Level New Path</b>
Education	<p>Lead Teachers with a non-credit credential such as a CDA, Montessori Credential or Family Services Credential for 50% of all classrooms</p> <p>Director with 24 related credits or the Administrators Credential or the Preschool Credential</p>	<p>Lead Teachers with 6 related credits for 25% of all classrooms AND a non-credit credential such as a CDA, Montessori Credential or Family Services Credential for additional 25% of classrooms</p> <p>Director with 24 related credits or the Administrators Credential or the Preschool Credential</p>
Environment and Curriculum	Program Self-Assessment	<p>Must be able to demonstrate 1) using a curriculum that aligns with the Wisconsin's early learning standards or 2) has an environment that includes accessible learning centers and materials that align with each of the early learning standards domains*</p> <p align="center">Program Self-Assessment</p>

\*The five domains include: (1) Health and Physical Development, (2) Social and Emotional Development, (3) Language Development and Communication, (4) Approaches to Learning and (5) Cognition and General Knowledge

\*\*A Group Child Care program provides care to 9 or more children and is usually located somewhere other than a residence and may be small or large in size.

**PROPOSED CHANGES TO YOUNGSTAR EVALUATION CRITERIA**

**FAMILY CHILD CARE PROGRAM\*\***

	<b>3 Star Level Current Path</b>	<b>3 Star Level New Path</b>
Education	Provider with 18 related credits or one of the following credentials: Afterschool and Youth Development, Family Child Care, Inclusion, Infant Toddler, Leadership, or Program Development	Provider with 6 related credits
Environment and Curriculum	Program Self-Assessment	Must be able to demonstrate 1) using a curriculum that aligns with the Wisconsin’s early learning standards <b>or</b> 2) has an environment that includes accessible learning centers that align with each of the early learning standards domains*  Program Self-Assessment

\*The five domains include: (1) Health and Physical Development, (2) Social and Emotional Development, (3) Language Development and Communication, (4) Approaches to Learning and (5) Cognition and General Knowledge

\*\*A Family Child Care program provides care for up to 8 children and is usually located in the provider’s home.

Some benefits of the new path for family and group include:

- More likely to impact children’s learning and behavior through dimensions of their learning environments
- High quality learning environments in early childhood are shown to help children be better prepared for school
- Allows programs at the 2 Star level demonstrate high-quality learning environments
- Includes a 3 credit option in addition to the non-credit credential option (at Registry Level 6), requiring some individuals to complete only one college course

## Child Care Expenses for Foster/Kinship Parents (or substantially similar tribal law)

Placement Type	<b><u>Biological Parent</u></b>	<b><u>Court Ordered Kinship</u></b> under Wis. Stat. 48 or 938 (or substantially similar tribal law, along with a kinship care payment) Court ordered guardianship to a relative receiving kinship care.	<b><u>Voluntary (Non-Court Ordered) Kinship</u></b> (or substantially similar tribal placement, without the kinship payment) Voluntary Guardianship to a relative (if no kinship payment then treated the same as non-court ordered kinship)	Court ordered guardianship to an unlicensed non-relative.  Court-Ordered placement with an unlicensed non-relative.	<b><u>Foster Care</u></b> (or substantially similar tribal law)	<b><u>Subsidized Guardianship</u></b>
<b>Summary: describe the scenario.</b>	Natural or adoptive parents with their own children.	Children placed in the care of a relative * with CPS involvement and receiving the monthly kinship benefit/payment.	Children voluntarily placed in the care of a relative without CPS involvement and not receiving the monthly kinship benefit/payment.	Children placed in the care of a legal guardian who is not a relative or foster home. (with or without CPS involvement)  Children placed through a court order with non-relative who is not yet licensed.	Children placed in out-of-home care with CPS involvement and receiving the monthly foster care payment.	Children placed in the care of a guardian as the result of CPS involvement and receiving the subsidized guardianship payment.
<b>DECE Policy</b>	Financial eligibility is based on the household income and must be under 185% FPL at initial eligibility. The family copayment is based on the FPL level, the number of	Eligibility: If the kinship family is receiving the Kinship Care Payment <sup>1</sup> , they qualify to be tested at the child's biological/adoptive parents' income at the time the child was removed from the home; this household income is tested at 200% FPL. If the	Whether or not the kinship family is receiving the Kinship Care Payment, financial eligibility is based on the household income and must be under 185% FPL at initial eligibility. The family copayment is based on 70% FPL instead of the actual FPL of the	Financial eligibility is based on the household income and must be under 185% FPL at initial eligibility. The family copayment is based on 70% FPL instead of the actual FPL of the family (see copayment chart).	Whether or not the foster family is receiving a foster care payment, financial eligibility is based on the biological/adoptive parents' income at the time the child was removed from the home; this household income is tested at 200% FPL. There is no copayment amount reduced from the	Financial eligibility is based on the biological/adoptive parents' income at the time the child was removed from the home; this household income is tested at 200% FPL. There is no copayment amount reduced from the subsidy benefit for these families. If the natural family fails the income test, then the

\* If the tribe does not have an equivalent to the Kinship Care payment, it would be difficult to know when to apply this financial eligibility exception.

	<p>children in care, the number of hours each child is in care, and the total number of authorized hours for all children combined. (see copayment chart).</p>	<p>biological/adoptive family fails the income test, then the kinship family income is tested at 185% FPL. If the kinship family fails this financial test, there is no eligibility. If the kinship family is not receiving the Kinship Care Payment, they do not qualify to be tested at the child's biological/adoptive family income. In this case, the kinship family is tested by their own income against 185% FPL. If the kinship family fails this financial test, there is no eligibility. Copayment: There is no copayment amount reduced from the subsidy benefit for these families, whether or not the kinship family receives a Kinship Care Payment.</p>	<p>family (see copayment chart).</p>		<p>subsidy benefit for these families. If the natural family fails the income test, then the foster family income is tested at 185% FPL. If the foster family fails this financial test, there is no eligibility.</p>	<p>guardian's family income is tested at 185% FPL. If the guardian's family income fails this financial test, there is no eligibility.</p>
<b>DSP Policy</b>	<p>DSP has no policies to provide child care funding to biological families who have placement of their children.</p>	<p>DSP would provide a payment for <a href="#">Kinship Care</a> of \$238/month. There is no ability to add any supplemental or exceptional rate to assist in offsetting any out of pocket child care costs.</p>	<p>Relatives can apply for Kinship Care funds. If eligible, the monthly payment could be utilized for child care costs. DSP would provide a payment for <a href="#">Kinship Care</a> of \$238/month. There is no ability to</p>	<p>DSP has no policies to provide funding or assist with child care costs for unlicensed non-relative guardians and unlicensed non-relative providers. The agency that opened the 48.977 guardianship is responsible for LTKC</p>	<p>If licensed foster parents are required to pay child care expenses beyond what Wisconsin Shares will cover or are denied Wisconsin Shares, the licensed foster parent may be reimbursed for the cost of child care in the foster care rate for the child or</p>	<p>Prior to entering into a Subsidized Guardianship Agreement, child care costs may be added to the Subsidized Guardianship Rate under the same circumstances as outlined in <a href="#">The Uniform Foster Care Rate Setting Policy</a>. Although child care costs</p>

			<p>add any supplemental or exceptional rate to increase the monthly rate to offset the costs of child care.</p> <p>Note: If a relative is eligible and begins receiving Kinship Care payments, the eligibility to receive WI Shares changes. Please see column two for Court Ordered Kinship under Wis. Stat. 48 or 938 (or substantially similar tribal law, along with a kinship care payment) and court ordered guardianship to a relative receiving kinship care.</p>	<p>payment while the family resides in Wisconsin.</p>	<p>children in their care. <a href="#">The Uniform Foster Care Rate Setting Policy</a> allows child care costs to be added to the exceptional portion of the foster care rate for foster parents with a level of care 2-5. Licensed foster parents should work with their licensing agency to ensure these costs are included in the foster care rate. The foster care rate may not be for an amount higher than \$2000 per month.</p> <p>Foster parents licensed at a level 1 do not receive an exceptional rate and would only be reimbursed \$238 per month for the cost of caring for a child placed in their home.</p>	<p>may be added to the Subsidized Guardianship Rate, these additional payments must be pro-rated based on the number of months between the current date and the date of the child's 18<sup>th</sup> birthday because exceptional payments may not be changed after the original determination. This means a family will not receive the full amount to cover child care costs each month because those costs are distributed throughout the life of the Subsidized Guardianship.</p> <p>Subsidized Guardians licensed at a level 1 prior to guardianship do not receive exceptional rates and would only be reimbursed \$238 per month for the cost of caring for a child placed in their guardianship.</p>
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\*there is an overall YoungStar impact if the provider has less than a three-star rating.

## Governor's Task Force on Opioid Abuse Legislation

### **SB 767/AB 907**

**Authors: Rep. Nygren, Rep. Pronschinske, Sen. Darling**

Provides \$50,000 in GPR funding to DCF to develop and maintain online training materials for county social services or veteran services workers on the appropriate response to cases involving substance abuse.

Removes regulatory barriers for entry into field of substance abuse counseling.

Funding to UW School of Nursing to expand training for psychiatric mental health nurses.

Requires physician, physician assistant, advanced practice nurse prescriber, podiatrist, dentist or optometrist who is authorized to prescribe controlled substances to complete continuing education requirements related to prescribing controlled substances.

Increases access to Buprenorphine, one of the three medications approved by the FDA to treat people with opioid abuse disorder.

Requires school boards to incorporate drug abuse awareness and prevention in health instruction programs, and specify references to controlled substances in these requirements include prescription drugs included in the Uniform Controlled Substances Act.

### **AB 906/SB 768**

**Authors: Rep. Nygren, Rep. Snyder, Sen. Vukmir**

Provides \$500,000 in TANF funding for a new evidence-based substance abuse prevention grants through the DCF Brighter Futures program. Counties and Tribes are eligible to apply for these grants.

Provides \$1.5 m of GPR funding for DHS to award grants to counties to provide voluntary non-narcotic, non-addictive injectable medically assisted drug treatment to inmates who will be released into the community within 5 days.

Provides \$250,000 in GPR funding to DCF for family drug treatment court grants for counties and tribes. Senate Bill 390, currently waiting for the Governor's signature, creates a framework to allocate grants to counties and tribes to establish family drug treatment courts, however no funding was attached to Senate Bill 390.

Provides \$1 m in GPR to funding DOJ for grants to Wisconsin law enforcement agencies to establish new programs related to drug trafficking response.

Creates two full-time attorney positions within DOJ to assist criminal investigation in the field offices of Wausau and Appleton in the prosecution of drug-related offenses.

Allows the court to order a person found guilty of violation of Uniform Controlled Substances Act to attend a victim impact panel.