

Tribal Consultation Action Plan

June 2023 to June 2024

The Department of Children and Families and the Federally recognized Indian Tribes headquartered in Wisconsin held a consultation meeting on June 14, 2023. 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 Tribes headquartered in Wisconsin agree to collaborate on these strategies and provide staff support as required to successfully achieve these outcomes by June 2024.

Item 1: 2024-2025 Biennial Budget Update	<p><i>Responsible Party:</i> DCF Tribal Liaison</p> <p><i>In collaboration with:</i> DCF Budget and Policy Director</p>
<p><i>History:</i></p> <p>At the 2023 consultation, DCF provided updates on budget items. DCF agreed to provide an update on budget items after the June 15, 2023, Joint Finance Committee Meeting.</p>	
<p><i>Outcome:</i></p> <p>A copy of the 2023 Act 19 DCF Summary for the 2023-2025 Biennium was sent to all Tribal Leaders and DCF Tribal Consultation participants on August 11, 2023.</p>	
<p><i>Resources:</i></p> <p>https://dcf.wisconsin.gov/files/press/2023/dcf-23-25-budget-summary.pdf</p>	
Item 2: Partner with the Department of Health Services regarding licensing for the Adolescent Treatment Facility	<p><i>Responsible Party:</i> DCF Tribal Liaison and Division of Safety and Permanence</p> <p><i>In collaboration with:</i> DHS, DOA, DSPS, and GLITC</p>
<p><i>History:</i></p> <p>At the 2023 consultation, DCF received an update on the Great Lakes Inter Tribal Council (GLITC) Adolescent Treatment Facility. DCF agreed to be part of an interagency group to discuss licensing requirements for the facility.</p>	
<p><i>Outcome:</i></p> <p>Multiple meetings were held involving GLITC, DCF, DHS, DSPS, and the Governor’s Office. DCF’s legal analysis ultimately determined that GLITC’s proposed facility would require DCF 52 licensure as a Residential</p>	

Care Center, concurrent to pursuing a DHS 75 certification. DCF has assigned a primary licensor to work closely with GLITC through the application process. DCF will continue to provide technical assistance and meet with GLITC regarding the DCF 52 licensing process.

Resources:

[Apply for a Group Home, Residential Care Center, Shelter Care, or Child Placing Agency License \(wisconsin.gov\)](#)

[DCF 52](#)

Item 3: Haaland v Brackeen update and legislative exploration

Responsible Party:

DCF Tribal Liaison

In collaboration with:

DCF Office of Legal Counsel, Division of Safety and Permanence, and tribes

History:

At the 2023 consultation, President Holsey spoke about the impending Haaland v Brackeen decision and requested that DCF look into other state laws that may be beneficial to strengthen the Wisconsin Indian Child Welfare Act. President Holsey further suggested the possibility of utilizing the State Tribal Relations Committee to discuss potential legislative changes.

Outcome:

DCF has obtained a list of all state comprehensive ICWA laws and continues to engage in conversation with ICW Directors and partners to identify areas of WICWA for closer analysis. Other states have also completed analysis of comprehensive state ICWA laws and have identified Wisconsin as having a strong law, especially in the area of Active Efforts.

DCF, in partnership with the Children’s Court Improvement Project, is working to finalize updates to the 2013 Qualified Expert Witness (QEW) guidance document. The new draft document will be shared with the ICW Directors for their review and feedback. The final document will be shared with tribal leaders and published for counties, courts, and legal partners.

Resources:

[State ICWA Law Chart v. 1.4 by Kate Fort](#)

Item 4: Child Abuse and Neglect Prevention Board (CANPB) Funding

Responsible Party:

DCF Tribal Liaison

In collaboration with:

CANPB

History:

At the 2023 consultation, Rebecca Murray, Executive Director of the Child Abuse and Neglect Prevention Board (CANPB) shared two grant opportunities with the group. The DCF Tribal Liaison offered to re-share the information with the group again via email.

Outcome:

On June 19, 2023, the following information was shared with Tribal Leaders (along with their preferred cc list), Social and Family Services Directors, and ICW Directors:

433001-G24-0002242 Tribal Primary Prevention Grant

Direct all questions for this RFA to Merrissa Johnson, CANPBprocurement@wisconsin.gov. Submit completed applications to CANPBprocurement@wisconsin.gov. Applications will be accepted until 2 pm on July 21, 2023.

2242 - [Tribal Primary Prevention Grant RFA](#)

433001-G24-0002243 Family Resource Navigator Grant

Direct all questions on this RFA to Claire Ackerman, CANPBprocurement@wisconsin.gov. Submit completed applications to CANPBprocurement@wisconsin.gov. Applications will be accepted until 2 pm on July 11, 2023.

2243 - [Family Resource Navigator Grant RFA](#)

Resources: <https://preventionboard.wi.gov/Pages/Funding/FundingOpportunities.aspx>

Item 5: Revisioning Guidance on 161 Agreements

Responsible Party:

Division of Safety and Permanence

In collaboration with:

ICW Directors

History:

At the 2023 consultation, a few tribes raised concerns with various aspects of the 161 agreements or negotiations with counties. Based on the understanding of the issues, DSP agreed to work with Tribes to identify gaps in the current 161 agreement guidance document(s) and potentially provide improvements to the guidance for counties and tribes. This review will be done in collaboration with tribal representatives with a focus on identifying any necessary updates.

Update:

DCF guidance consists of a memo issued June 24, 2008. Review of the memo and revision discussions began with the ICW Committee in November, 2023. At the request of the ICW Directors, the department began work to create a resource for tribes to have discussions regarding 161 agreements rather than updating the existing memo.

DCF has created a draft resource document and reviewed this document with the ICW Directors in January, March, and May 2024. Edits to that document resulting from the May meeting are in process and can be shared upon completion.

Resources: [2008-11 Memo](#)

Item 6: YoungStar Revisioning

Responsible Party:

Division of Early Care and Education

In collaboration with:

Tribal child care professionals, providers, and community members

History:

At the 2023 consultation, the Lac du Flambeau Tribe raised concerns with the YoungStar criteria. Their concerns were two-fold: 1) the EBT card was problematic for providers who may not be bankable, and 2) the YoungStar criteria for obtaining certification or licensure was too high for providers in their community who wanted to provide care for children. Feedback regarding providers feeling pressured to pursue educational opportunities to increase their star rating was also shared. The Division of Early Care and Education (DECE) shared that they intend to look at the quality rating system (YoungStar) in the near future and that they would greatly appreciate the input and participation of tribal agencies, providers, and community members throughout that process. DECE anticipated that the process would start at the end of the calendar year and would likely take a minimum of 12-18 months.

Update:

DECE has begun its analysis and update project for the YoungStar Quality Rating and Improvement System and estimates that proposals for program updates will be finalized in 2025. DECE is prioritizing the input of those most impacted by YoungStar, including Tribal early educators and families, in this review and revision. The process for gathering input began in early 2024 and will continue throughout the year; it includes presence at existing events, listening sessions, and a survey. DECE is intentionally planning for engagement with tribes by collaborating with tribal agency staff to build on feedback already received and discuss ideas for connecting with families and providers in tribal communities. One focus of this project will be ensuring alignment of YoungStar and regulatory standards, making it easier for providers to navigate early childhood requirements and systems in Wisconsin.

Resources:

Information on the current YoungStar system is available at: <https://dcf.wisconsin.gov/youngstar>

YoungStar Analysis and Update Project detail is available at: <https://dcf.wisconsin.gov/youngstar/updates>

YoungStar Analysis and Update flyer: <https://dcf.wisconsin.gov/files/publications/pdf/5745.pdf>