

**Department of Children and Families
Tribal Consultation Implementation plan
May, 2015 to May 2016**

The Department of Children and Families and the federally recognized Indian Tribes of Wisconsin held a consultation meeting on May 13, 2015. This Implementation Plan is the result from 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, 2016.

Deliverable	Responsible Parties	Status of Deliverable
Topic 1: Child Welfare		
<p>1. Foster Parent Recruitment and Training – Tribes are facing immediate need for more foster homes and to training foster parents to care for children with more complex needs.</p> <ul style="list-style-type: none"> a. DCF will develop approach to address issue within six months. <ul style="list-style-type: none"> i. Tribal representatives will volunteer to sit on panel to help guide and clarify issue b. DMCPS contract agencies will work with other foster care agencies in further developing a Tribal Foster Care program. 	DSP	<ul style="list-style-type: none"> a. Recruitment and retention strategies as well as training opportunities continue to be an ongoing discussion topic at tribal training partnership meetings and Intertribal Child Welfare (ICW) Directors meetings. b. DMCPS and the two contracted agencies have been focusing on the Fostering First Nations program and have strengthened their collaborative efforts with the ICW Directors. This collaboration has resulted in advertising in tribal newspapers and tribal wide mailings to recruit tribal foster families. The DMCPS case management agencies have increased the number of tribal foster homes in Milwaukee and implemented an Ambassador program. Ambassadors encourage others in the American Indian community to consider becoming licensed foster care providers for American Indian children. Ambassadors, which includes both employees and community members, are asked to partner with well-connected members of the American Indian community, share information, literature and goals with the American Indian community, outreach to American Indian community in Milwaukee and surrounding area, inform the First Nations Foster Family Network of events in the American Indian community, share literature with prospective foster families and American Indian businesses, spread the recruitment message and encourage others to consider fostering, attend and provide updates at bi-monthly First Nations Foster Family Network meetings, advise the First Nations Foster Family Network on recruitment strategies, and advise the First Nations Foster Family Network on design and wording in recruitment literature. We currently have 5 Ambassadors.
<p>2. Continue to offering training for county agencies and foster parents on ICWA/WICWA.</p>	DSP	<p>In 2015, the training “Case Practice with American Indian Tribes” has been offered in Milwaukee County four times and in the balance of the state five times.</p> <p>Foster Parent Foundation Training of Content was also offered in Rhinelander. Four of the eleven tribes took advantage of this opportunity.</p>

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<p>3. Continue to develop and revise the CQI process that includes compliance with ICWA/WICWA</p>	<p>DSP</p>	<p>The June 2015 WICWA review report was presented and discussed at the July 2015 ICW Directors meeting. In addition, at the meeting, there was discussion regarding the possibility of compiling WICWA related case review results from the current Access, Initial Assessment and Ongoing Services case reviews. In September 2015, DSP initiated discussions regarding the WICWA specific case review instrument with the ICW Directors and got additional feedback from this group at the November 2015 meeting.</p> <p>BPM is in the process of updating the case review instrument with feedback received at the above meetings and will review the revised instrument with the ICW Directors at their July 2016 meeting. A draft of the compiled Access, IA and Ongoing Services statewide case record review results pertaining to ICWA/WICWA will also be presented at this meeting. Once the instrument is finalized, DSP will discuss approaches to and timing of reviewing WICWA cases with the new instrument with the ICW Directors.</p>
<p>4. DSP budget</p> <ul style="list-style-type: none"> a. High Cost Pool is the same amount b. Domestic abuse increase to possible 5 million to direct support shelters for families c. JJ cases will be transferring to DCF in 2016 	<p>DSP</p>	<ul style="list-style-type: none"> a. The 2015 High Cost Pool Fund was distributed to four applicants including Polk/St. Croix, Ashland/Bad River, Ho-Chunk, and Vilas/LDF. Requests totaling \$94,000 were not able to be met due to the depletion of the annual funds. b. Following is a summary of the effects on Tribes of the increase in Domestic Abuse funds approved in 2015-2017 biennial budget bill: <ul style="list-style-type: none"> i. All WI Domestic Violence (DV) programs received an increase for core basic services. Both Lac du Flambeau and Menominee receive grants for basic services and received an increase in their allocation. ii. Additional funds were allocated for Children’s Programming grants. A competitive Request for Proposal (RFP) was issued at the end of 2015. The RFP set aside funding for <i>at least</i> five tribes. Three tribes, Lac du Flambeau, Lac Court Oreilles, and Oneida, applied and are funded. iii. A competitive RFP totaling \$200,000 for enhanced services to tribal domestic abuse programs will be issued in April 2016, with funding to begin October 1, 2016. iv. Additional funds were allocated to the grant program for Services to Traditionally Underrepresented Populations. The RFP was issued in February, 2016, and applications were due March 30. v. Although no additional funds were allocated to the Domestic Abuse

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		<p>Support Services grant program, a competitive RFP was issued in October, 2015. The RFP set aside funding for <i>at least</i> five tribes. Five tribes, Lac du Flambeau, Lac Courte Oreilles, Oneida, Menominee, and Red Cliff, applied and are funded.</p> <p>c. The responsibility for community-based juvenile justice (JJ) services transferred from the Dept. of Corrections to DSP's new Bureau of Youth Services in January 2016.</p>
<p>5. Drug affected newborns and youth suicide: DCF will work with DHS to assist in addressing the two behavioral health issues.</p>	DMS-BRO	<p><u>Drug Affected Newborns</u> The October 2015 Family Services Program Director's meeting featured the topic of serving families with drug exposed infants. DSP staff has continued to serve in both state and local level committees related to drug affected babies and children. DCF is supporting the Healthy Infant Court in Milwaukee, a pilot family treatment court which will serve families with young children and infants affected by substance abuse. While this court program is not exclusive to tribal children, tribal children and families in Milwaukee would be eligible to be served in this program.</p> <p><u>Youth Mental Health and Suicide</u> DCF is working with the Department of Health Services (DHS) to increase crisis stabilization service capacity and placements for children and youth.</p>
Topic 2: Child Care		
<p>1. Rehabilitation Reviews - Assist Tribes in developing Tribal Rehab Review Policies</p>	DECE	<p>At the 2014 consultation, the department offered to assist tribes in developing their own Rehab Review process. To date, there have been no requests for assistance or questions from the tribes about the Rehab Review process. The department remains open to assisting those tribes that are interested in developing their Rehab Review process.</p>
<p>2. Race to Top Grant - seek tribal input on use of Race to Top funds to support development of tribal providers</p> <p>a. Host Tribal Gathering 2015</p> <p>b. Develop strategic plan that focusses on outcomes in early childhood programing and services.</p> <p>c. Technical Colleges will provide free education units to Tribal members in early childhood services.</p>	DECE	<p>a. A Tribal Gathering was held on October 19, 2015. This event was fully coordinated by the Department of Public Instruction.</p> <p>b. Work on creating a strategic plan has continued through the Enhancing Early Childhood Relationships among Wisconsin Tribal Communities and State Agencies and Associations. Meetings occur quarterly and are focused on building an infrastructure among the tribes, state departments, and other early childhood organizations that promotes relationships, communication, and collaboration. The group is currently exploring ways to increase tribal representation.</p> <p>c. The Race to the Top funded Educational Opportunities Grant which provides</p>

**Department of Children and Families
Tribal Consultation Implementation plan
May, 2015 to May 2016**

		<p>credit-based instruction at no cost to 2 and 3 Star rated child care programs was expanded through a contract amendment with Western Technical College. Western Technical College has contracted with Chippewa Valley Technical College (CVTC), Wisconsin Indianhead Technical College (WITC) and Nicolet Area Technical College (NATC) to provide intentional outreach and accessibility to tribal child care providers. Starting in the fall of 2015 WITC offered the Infant and Toddler Credential courses at community locations on the Bad River Reservation, in Hayward, and in New Richmond. CVTV will be offering the Preschool Credential courses at a community location in Eau Claire also starting in 2015. NATC will also be offering two courses (Guiding Children’s Behavior and Health, Safety and Nutrition) of the Preschool Credential at locations in three tribal communities – the Forest County Potawatomi Community, the Lac du Flambeau Band of Lake Superior Chippewa Community, and the Sokaogon Chippewa Community.</p>
<p>3. Child Care Develop Block Grant Act 2014</p> <ul style="list-style-type: none"> a. Collaboration on Wisconsin State Child Care Plan <ul style="list-style-type: none"> i. Develop “opt-in”, or “opt-out” option for tribes to assist in developing the State Plan. ii. DECE will schedule a public hearing on January 5, 2016 and send to Tribal Chairs/Presidents. b. Training and Professional Development <ul style="list-style-type: none"> i. Accessible to providers under Tribal Grants ii. DECE will utilize the WITCCA (non-Tribal lead entity) for feedback on Tribal training issues/needs 	<p>DECE</p>	<ul style="list-style-type: none"> a. The public hearing was held in Madison on January 5th, 2016. All of the tribes received a draft copy of the child care plan prior to the hearing and were invited to participate. There were also 16 remote locations at various offices throughout the state which enabled individuals to participate in the public hearing as well. The child care director for the Lac Courte Oreilles Tribe participated remotely in the public hearing. We also received public comments on the Child Care plan from the Oneida and Ho Chunk Tribes. We did make some changes to the child care draft plan based on their comments, such as; corrected references in the plan to state that we partnered with the tribes to make information available and also to include a reference about supporting training for the tribes and the Department in Historic Trauma. b. The Race to the Top funded Educational Opportunities Grant which provides credit-based instruction at no cost to 2 and 3 Star rated child care programs was expanded through a contract amendment with Western Technical College. Western Technical College has contracted with Chippewa Valley Technical College (CVTC), Wisconsin Indianhead Technical College (WITC) and Nicolet Area Technical College (NATC) to provide intentional outreach and accessibility to tribal child care providers. Starting in the fall of 2015 WITC offered the Infant and Toddler Credential courses at community locations on the Bad River Reservation,

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4. Tribal Performance Standards – October 1, 2015 contracts will require all Tribes administering Wisconsin Shares to adopt performance standards	DECE	Effective for federal fiscal year 2015, these performance standards will apply to tribal agencies that are administering the Wisconsin Shares child care subsidy program under contract with DCF. The department will consult with the tribes to review performance standards annually.
Topic 3: Child Support		
1. Review mechanisms for applying in kind payments for child support payment.	DFES - BCS	State law requires all child support payments to be expressed in dollars. Neither the KIDS database nor the State Disbursement Unit can process in-kind payments (wood, wild game, baby sitting or other services, etc.). Some tribal agencies structure orders to allow for “in-kind” payments, and if the agency uses KIDS, these types of payments cannot be tracked. Most of the tribes operating comprehensive IV-D programs have opted not to pursue in kind payments in lieu of dollar orders. If a tribe using the KIDS system were to enter such an order, we would have to address how to track compliance with that order.
2. Provide update on Supreme Court rule 801.54 regarding transfer of cases from county courts to tribal courts.	DFES	The Supreme Court held a hearing on 801.54 in November, 2015 and discussed the rule in open administrative conference in March of this year. They have not yet acted on it as a separate petition was filed seeking a repeal of the rule by some members of the Oneida Tribe. Although the concerns of the Oneida members do not relate specifically to 801.54, the court would like to address them prior to acting on 801.54. They have asked Judge Whitefish, President of the Tribal Judges Association, to discuss the possibility of tribes adopting reciprocal provisions in their ordinances that would permit the transfer of cases from tribal to state court. The Association is scheduled to meet in April. The Supreme Court recognizes that they have no authority to direct any tribal action. It is unclear at this time whether the court will act on 801.54 before the end of this judicial session. If they don't, the rule remains in place as is until it is acted on, presumably in the next judicial session.

**Department of Children and Families
Tribal Consultation Implementation plan
May, 2015 to May 2016**

3. Provide a copy of the issue paper with data supporting the 2015 biennial budget bill to reduce the W-2 time limit from 60 months to 48 months	DFES	The Legislative Fiscal Bureau paper analyzing the proposal in the 2015 biennial budget bill to reduce the W-2 time limit from 60 months to 48 months is provided in the link below. https://docs.legis.wisconsin.gov/misc/lfb/budget/2015_17_biennial_budget/300_budget_papers/211_children_and_families_wisconsin_works_lifetime_benefit_limit.pdf
4. Provide update on Birth Cost Bulletin	DFES	The Birth Cost bulletin has not been drafted. DCF has not received confirmation that Indian Health Services reimburses tribes for 100% of the cost of the birth.
Topic 4: Family Service Program		
1. Family Service Program budgets will remain at current allocation.	DMS - BRO	The Family Services Program allocations for tribal FT 2016 remained stable. Most of the funding is state GPR which was maintained at the current level in the 2015-17 state budget bill (Act 55). Fluctuations in the Family Services Program funding in recent years have been due to the federal funding sources included in the allocation.
Round Table Discussion		
1. Post Tribal Liaison Position when vacant	Secretary's Office	The Tribal Liaison position was posted from 9/15/15 – 10/13/15. Interviews were held on 10/29/15 (1 st Round), 11/16/15 (2 nd Round) and 11/30/15 (3 rd Round). Stephanie Lozano was selected and her start date was February 8, 2016.
2. Address child welfare issues in Milwaukee and with two contracted agencies. a. Proposed creation of ICWA Unit in DMCPS. b. Increase Training efforts in Milwaukee	DSP	a. BMCW became the Division of Milwaukee Child Protective Services (DMCPS) effective October 2015. DMCPS has focused on ICWA training for managers (see below) as well as increased collaboration with the ICW Directors (see #1). Utilizing these internal resources has enhanced ICWA compliance. b. Training efforts in Milwaukee County focused on managers at the county and the two contracted case management agencies. These efforts have focused on the history of ICWA, Notice, Qualified Expert Witness (QEW), Placement Preferences and Active Efforts. The trainings have been well received and have resulted in increased collaboration.