



**FINAL**

DHS Children, Adults and Families  
Child Welfare Advisory Committee  
**Future Issues Work Group**  
July 28, 2008

Attending: Janet Arenz, Mike Balter, Iris Bell, Benjamin Hazelton, Erinn Kelley-Siel, Mickey Serice, Judy Stiegler

Minutes recorded by Pam Pearson

### **APPROVAL OF MINUTES**

The 6/11/08 Future Issues Work Group minutes were approved with the following change:

- On page 9 delete: Hazelton: The Oregon conference will be in September.

### **MEET WITH INTERIM DIRECTOR ERINN KELLEY-SIEL**

- Kelley-Siel: She is calling each CWAC member to talk with them one-on-one about their thoughts about the committee. Is hearing uniformly that the evolution of the committee is moving in the right direction. They are appreciative of the focus on issue sets and not having their meetings be primarily reacting to data.
- Stiegler: The FIWG serves as an executive committee or clearinghouse.
- Kelley-Siel: Today she wants to hear how we can work together. What are the biggest issues on which CWAC wants to give advice? What is the best way to communicate with CWAC? She has a couple of issues that could be used as trial issues.
- Stiegler: Wanted FIWG to meet with Erinn before the full CWAC meeting to introduce her to where we think CWAC is going and where we've been. There is common agreement at this table that we aren't where we want to be yet, but we are getting better in our process so that there can be substantive value to what we contribute to the agency. We take our advisory function seriously. With the changes in CAF leadership come communication challenges. We felt we were moving forward, then started sputtering with the changes in leadership. We are trying to smooth out our processes to be more effective. As a result, we will be talking about changes to the operating procedures later today. In the last 9-10 months, CWAC dealt with the policy option packages (POPs) and did so effectively, though the process was clumsy. We

weren't so successful in handling the Child and Family Services Review – Program Improvement Plan (PIP). These are two examples showing we need to be more responsive to short-term requests for advice. Not all issues are adaptable to a long-term process. These two examples bring to light a communication breakdown in both directions. The PIP was in process and suddenly CAF needed our response in a very short time. It was very difficult because the information we needed did not get to us in a timely manner. In June we started the conversation on how to sharpen the expectations of CWAC and CAF.

- Bell: If we are to be advisory, then we ask to be used in that capacity.
- Kelley-Siel: One challenge is that sometimes things do move quickly. What is the filter through which CWAC expects to give advice? Are there certain issues CAF should not act on without CWAC advice? How can we anticipate when CWAC wants to be utilized? Are there issues that CWAC would like to give advice on but would not be offended if we are unable to seek that advice? Are there issues on which CWAC does not care about giving advice? CAF is creating an inventory of all its current work groups. We go individually to certain partners for specific issues. We are trying to find a way to identify the big issues. Having an issue list of what is important to CWAC will help.
- Stiegler: Our filters might be different, but we are here to serve at your pleasure. We developed the issues list because members and staff would suggest issues and we needed a filter to hone in on the issues that are relevant.
- Balter: One challenge is knowing if we are advisory or oversight. We are not here to manage. Staff are not answerable to us. CWAC advice is expensive in terms of who is at the table. Such expensive advice ought to be for multi-year, long term issues. The breakdown happens when each meeting has no connection to previous meetings. We are trying to control individuals driving the agenda. We have four key goals as footnoted on the bottom of the issues list.<sup>1</sup> These are four enduring topics that drive our conversations with CAF. If we can gain some

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1. Preventing foster care placement;
2. Assuring that children placed in foster care are safe and are thriving;
3. Providing permanency for children placed in foster care in a timely manner; and
4. Identifying strategies to reduce over-representation of children of color in the child welfare system.

expertise in these, we can give good advice. We also want to move from being reactive to proactive, though he is less concerned with that. Legislative sessions should come as no surprise. For example, we should know where the POPs are. What is the next opportunity for a conversation on them? For ongoing, long-term issues, we should be having periodic conversations.

- Arenz: Appreciates what Erinn is asking. In the context of Judy's definition of who CWAC is, it is Erinn's call to make and then we can react to it. We can look at our calendar to get better at seeing where issues and activities intersect with our meetings and when we would need the information to be able to respond. We also need a set of policies in place for how to respond to short-term, immediate needs for advice.
- Stiegler: CWAC needs to be amenable to a short-term response. But there is also a need for the agency to be clear in what it is seeking. Our advice-giving with the PIP fell apart because some felt we were being asked to rubber stamp where the agency was already going and we don't see that as our role. Some felt advice was not being sought as much as DHS was checking an item off a list.
- Arenz: That also shows up in the administrative rule process, which says CWAC advice was sought, but in reality CWAC members received the draft rules as part of a large group distribution by email.
- Stiegler: CWAC members are part of a group email for draft administrative rules. There was an "ah-ha" moment some months ago when it became obvious that sending out those general notices is not, in fact, notifying CWAC as a committee. CWAC members come from a variety of places, but when the committee meets it is acting as one body.
- Hazelton: Disagrees with how others felt about the PIP. Did not feel he was being asked to rubber stamp, but to provide serious advice. He identified the concerns in the PIP and looked if there were corresponding actions. The intent was that CWAC members would get involved in PIP subgroups. Some subgroups had better CWAC representation than others.
- Stiegler: We got off track because of a communication issue.
- Arenz: Regarding the POP process, Judy's letter of recommendations on the POPs did a good job explaining how we were limited in our ability to respond and that the response did not represent the full committee. One challenge is that CWAC is a group of volunteers and we each have to

decide how we can best use our volunteer time. It is one of the most committed and engaging volunteer groups.

- Balter: FIWG is trying to prevent one strong voice speaking for CWAC. There is a tremendous opportunity to mobilize a great group of advocates to support a direction CAF is taking. The members can then take that advocacy to their constituencies. The support does not have to be unanimous, but the majority saying the agency is moving in the right direction can be beneficial to CAF.
- Hazelton: That may have been one of the stumbling blocks of the implementation of the Oregon Safety Model. Some members felt taken off guard and did not understand the core concepts behind it, so they did not feel they could support it.
- Stiegler: We are trying to hone our focus, using the four key goals as a measuring stick to filter issues. Bruce Goldberg had asked us for those goals. Before then there was no focus for CWAC.
- Arenz: Another challenge was that before Judy's appointment, CWAC did not have an independent chair; the CAF assistant director chaired the committee. As chair, Judy has given us freedom to develop priorities and goals.
- Stiegler: What we give advice on may not only come from CAF, it may come from other places.
- Kelley-Siel: Even as she serves as interim director, one of her goals is to keep moving forward. CAF, and child welfare especially, is a policy, program and practice that is going through change. When she talked with Bruce about the position, she said she was not interested in holding things still for however long she is here. She wants to help CWAC move forward, too, and institutionalize the relationship so the next person can walk in and have it work. Is institutionalizing the CWAC – CAF relationship what you want? What can she do to help and not interfere?
- Stiegler: We will get Erinn a packet of our work products so far – the principles and recommendations.
- Kelley-Siel: We can put together a calendar as was suggested earlier.
- Balter: That will help us synchronize our meetings with the schedule.
- Kelley-Siel: Last month our focus was on budget, putting together the Agency Requested Budget and POPs, as well as the 10% and 20% reduction lists. Next month we will be working on an inventory of all current initiatives. As a division we will come back with the framework

of our work. She wants to bring that to CWAC to make sure CWAC is aware of CAF's activity in this regard and open the issue for discussion and feedback. CWAC's key goals are some of ours. If we try to do all the initiatives at the same time we will not be successful. We need to identify the top five strategies and top five goals. Once those are done we can go to the next ones. That will help us when we go into the legislative session. It will help create the calendar of issues that can be overlaid with other things such as budget development and Ways & Means.

As she mentioned earlier, she has two issues she wants to suggest for CWAC. One is the Status of Children report. It might be a good time to look at what data is included and what is not included that should be, who the audience is and what the message is that we are trying to communicate. The report grew out of people asking for information and the data being put together in a bound publication. The same data set has been rolled forward each year. The division did not look at its goals to compile data to reflect those goals. The text draws conclusions without including in the report the data supporting the conclusions. We will use the report to advocate during the legislative session so we want it to be useful. Would like CWAC input on how to be forward looking for the next Status of Children, what data is in, what is out and how it is designed.

- Arenz: Would like to have the opportunity to look at the initiatives. Wants some data points in the Status of Children on how the private sector works in keeping children safe.
- Stiegler: If this is something that Erinn would value our input on and would be a good use of our talents, then it would be a good opportunity for CWAC.
- Balter: If the need is for a data warehouse, then it becomes a management information report from which to draw conclusions. If we don't have a discussion about what we want to measure, then we will get into the business of managing the business of the agency. It will work only if we focus on our four key goals. Bruce has asked for them and we responded. That gave us the clarity we were lacking on the targets on which we should be giving advice. What are the most important things that need our advice? What CWAC offers is advice on whether the direction the agency wants to go is consistent with these goals. This is also the advice the agency can get from the individual members.

- Kelley-Siel: CAF needs to do some front-end work on what is currently captured and what the division wants to add before bringing the Status of Children report to CWAC. At the same time, she is concerned about not getting feedback at the right point in time. The fall would be the time when that needs to occur. At a meeting in the fall, CAF would present to CWAC what is currently in the report and a vision for something new. Then at a future meeting CWAC would react to that. One of her concerns is that it is referred to as the Status of Children, which infers it is a report about all children. She plans to change the title of the report so that it is clear it is about children in child welfare and to leverage it as a publication that tells about our work and priorities.
- Balter: When you bring it to CWAC members for input as individuals, you will hear that they don't want the data to go away. But as long as it can be accessed in another way, the data would not have to be in a bound publication.
- Arenz: When a CWAC meeting is used to gather input from individual CWAC members, it serves as an instant focus group.
- Stiegler: Not all issues have to go through the long consensus process. We can use a meeting to get feedback from individual members.
- Balter: It can also be used to get advice from the constituency groups the members represent.
- Kelley-Siel: Another report, from the Child Safety Work Group, will be coming out about the same time.

Has another issue for possible CWAC input. When she came to CAF, she saw that the division had no proposed legislative concepts for child welfare. She developed two placeholders. The first is for disproportionality in foster care. We will also embed all POPs with language about disproportionality and have a stand alone POP. It was not showing up in the public language of the POPs. One challenge is that we do not have a body of work to address the issue. We may end up not moving the legislative concept forward or the Governor may not, but regardless, we will still move the plan forward. The concept would institutionalize it. Giving statutory accountability to the issue says it is important to us. The legislative concept will create a group to develop a plan and hold us accountable to report back. We can and will do this without statutory direction, but the legislative concept will give us legislative support. Would ask CWAC to provide feedback on how to do

this. The work group could be a CWAC subcommittee or it could be separate from CWAC with a cross over to report to CWAC.

The other legislative concept is a placeholder to move the McKinsey child welfare workload study forward. Some legislators have heard the McKinsey report and know CAF is understaffed. We can take advantage of this legislative support. The legislative concept would mandate a report to the legislature on our move from caseload staffing to workload staffing and how the change impacts our key performance measures. We don't want to lose the connection between the two.

There are other conversations that she plans to leave for the legislature, such as relative placements vs. current caretaker placements.

- Stiegler: Is it Erinn's desire to seek CWAC advice on whether or not to move the concepts forward or advice on how they would look?
- Kelley-Siel: Both. If she heard concerns about moving them forward, she would take that into consideration. But assuming CWAC would want them to move forward, then she would like advice on how they would look. She would bring the concepts to CWAC when she received the draft back from Legislative Counsel.
- Stiegler: The first question needs to get on the agenda soon.
- Kelley-Siel: If CWAC did not want to give full support, then she suggests 2-3 members be identified to give feedback on the draft concept.
- Bell: Would be interested in the initiatives that exist and how they play into disproportionality.
- Kelley-Siel: The initiative list is growing longer and we need someone that is a keeper of the list and provides a feedback loop. We are engaging communities of color to get input on the initiatives. Currently each office in each division keeps current with the initiatives that impact their programs. It needs to be more planful and strategic.
- Balter: We want to work with Erinn to get something that is a good idea. At this time we do not have enough information now to say if the legislative concepts are good ideas and should be used over other strategies. Until we know the intent, we cannot say if it is a good idea. CAF has been adrift in both areas and we want more information to know if the concepts will do what we hope they will do.
- Kelley-Siel: The disproportionality concept is modeled after what Washington has. They and other states have met with some success. A lot is going on in this area but the communities of color are not feeling involved. We want to create a sense of importance to the issue. You

may want to designate a few CWAC members to serve as advisors to develop the product and then bring the product to CWAC for advice. The advisors could be identified at the August meeting.

- Hazelton: Would the product come to the full CWAC at the fall meeting? The advisors would report to CWAC before CWAC would make a recommendation.
- Kelley-Siel: Yes. CWAC may choose to be neutral, support or oppose.
- Balter: If this is one of the division's highest priorities, it also is one of CWAC's key goals. The legislative concept is a short-term project, but the issue is long-term. He recommends CAF report to CWAC what its concerns are and what the legislative concept will do. That would be the beginning of a subcommittee on disproportionality.
- Stiegler: The August 13 agenda will have these legislative concepts as a bulleted item within Erinn's director's report. FIWG recommends a subcommittee be formed on disproportionality and CWAC's action will be to identify members for the subcommittee.
- Kelley-Siel: Regarding the legislative concept on workload staffing – the work on DHS transformation brought out the feeling that the agency is not engaging partners enough. As the rapid process improvements are rolled out, there are opportunities to invite partners to the table. This is an agency management issue, but CAF has the largest field structure in DHS and so it makes sense as we make changes to the way we work that we would have opportunities for more meaningful conversations with partners. That would be included in the concept. It would not just require a report, but would require engaging the community.
- Balter: Asked if Mickey Serice has comments about whether or not CWAC is improving.
- Serice: We have improved, but have a ways to go still in communicating in both directions between DHS and CWAC.
- Balter: Asked that the POP process be added to the August 13 CWAC agenda and if/when there will be another opportunity for input.
- Kelley-Siel: We received external input as the POPs were created. We are now in the process of pricing them. They will go to DHS Cabinet for prioritization.
- Serice: The POPs list is posted online.
- Balter: Is it a ranked list?
- Serice: Not yet. Cabinet will do the ranking. CAF did submit a high-medium-low ranking to Cabinet.

- Balter: CWAC also did a ranking.
- Stiegler: We will get that ranking to Erinn.
- Kelley-Siel: The reality is that the odds are low that we will get any of the POPs. At this time we are concentrating on where we will have to make cuts. The revenue forecast shows we won't have enough to meet the Essential Budget Level so there will be reductions and tradeoffs to pay for new initiatives. More conversations need to occur on what we may have to cut rather than on the POPs. We need to line up our reductions with our goals. We also need to be aware of what providers are struggling with in their rates.
- Balter: The POPs represent an opportunity to say what is most important. The decisions management make is information that tells us what is important to the agency. We can then talk about strategies to meet that direction.
- Kelley-Siel: Wants a conversation on all the initiatives and, given the current financial reality, what should get started. However that will not be ready for the August meeting.
- Hazelton: A CWAC recommendation or concern may be to warn about consequences if an initiative or POP is held back or reduced. That can help the agency making informed decisions.

- ACTION:**
- **Copies of CWAC's principles and recommendations will be provided to Erinn Kelley-Siel. [completed 7/29/08]**
  - **CAF will prepare a calendar of events cross-walking with CWAC meetings.**
  - **A conversation on current initiatives will be placed on the August 13 CWAC meeting. This will be added to the CWAC list of issues.**
  - **The Status of Children report will be added to the CWAC list of issues. It will be on the September 10 CWAC agenda if CAF has compiled a report on what is currently captured and what CAF wants to add. CWAC input will be sought on what data to include and how it is designed, filtering through CWAC's four key goals.**

- **The legislative concepts on workload staffing and disproportionality in foster care will be added to the CWAC list of issues. Both will be on the 8/13/08 CWAC agenda to seek CWAC support for moving forward with the concepts. CWAC members will be sought to serve as advisors in developing the concepts. The concepts will be presented to CWAC at a future meeting (possible September 10) for a vote to support, oppose or take a neutral position.**
- **The August 13 CWAC agenda will include the POP process for CAF to provide CWAC with an update and to identify the POPs that fell into the high, medium and lower priority clusters. Also CAF will report how CWAC's recommendations on the POPs influenced division's thinking as the POPs move to an agency-wide discussion.**

## **REVIEW AND REVISE OPERATING PROCEDURES AND BYLAWS**

- Stiegler: Presented draft revisions to the operating procedures and bylaws to address CWAC's response to short-term, compressed timelines. They articulate that when a recommendation is made the action does not stop there, but that an agency response to the recommendations should follow. The existing operating procedures already speak to unanticipated events, but she added a bullet for clarity. She intentionally avoided being overly prescriptive. She added a statement in the bylaws regarding the use of telephonic and email voting.

There was a motion and second to approve the draft revisions. Discussion:

- Hazelton: Change the edits in the bylaws to: Telephonic or email voting is permitted as requested and/or required by the circumstances.
- There was discussion on what constitutes a quorum. Quorum is defined by Roberts Rules of Order.
- There was discussion about the call for a special meeting being part of general business or not. Article IV, Section 1 permits the chair to call meetings more frequently than that required by statute. However,

because a “special meeting” infers something outside “general business,” the edits to the operating procedures were changed to: When unanticipated events occur requiring action or response by CWAC to an issue, at the discretion of the Chair an ~~special~~ **additional** meeting shall be convened to determine the action or response of CWAC...

- Arenz: Expressed concern about how members are to handle conflicts of interest when voting.
- Stiegler: CWAC members fall under the Government Ethics and Standards Commission. They have a comprehensive definition for conflict of interest and she suggested Janet refer to that definition.
- Balter: Regarding the process for building agendas, he suggested developing an agreed-upon format for requests to assure the requestor includes the topic, an issue brief, and the desired outcome from the request to CWAC.
- Bell: Offered to provide a sample issue brief for consideration as a template.
- Stiegler: Members are defined as voting and non-voting. Non-voting members include DHS staff. The operating procedures say requests for agenda items are to be submitted 30 days in advance. Do we want to keep it at 30 days? Suggested changing it to seven days.
- Hazelton: The 30 days was to include time for FIWG to vet the issue, so we may need to consider how FIWG looks at issues within a 7-day window.
- Arenz: A request does not mean it gets on the agenda; it is just a request.
- FIWG agreed to change it to seven days advance of a meeting.

**ACTION:** The above changes to the CWAC operating procedures and bylaws were approved by FIWG. They will be presented to CWAC on August 13 for final approval.

## **FRAME ISSUES FOR 8/13/08 MEETING AND BEYOND**

**ACTION:** • A revised draft agenda for the August 13 meeting will be emailed to FIWG for a final review before it is finalized and distributed.

- **A FIWG meeting by conference call will be held on September 3, 9:00-10:00, to plan the agenda for the 9/10/08 CWAC meeting.**

Meeting adjourned.