



FINAL

DHS Children, Adults and Families
Child Welfare Advisory Committee
Future Issues Work Group
October 8, 2008

Attending: Mike Balter by phone, Benjamin Hazelton, Mickey Serice, Judy Stiegler

Minutes recorded by Pam Pearson

APPROVAL OF MINUTES

The 9/3/08 FIWG minutes were approved.

CWAC AND SENSITIVE REVIEW COMMITTEE INTERFACE

- Stiegler: Reviewed how this issue came to CWAC and asked where the committee wants to go with it.
- Hazelton: Suggested we adopt the February 2008 recommendations drafted by Bryan Johnston. They suggest bringing to CWAC the questions/recommendations/possible policy issues raised in a Sensitive Review Committee report for high level input. They also reserve an SRC slot for a CWAC member. His preference is not to receive every individual report, but use CWAC's expertise to look at barriers or opportunities to proposed policy changes that may be raised by SRCs or CIRTs. A similar approach could be taken with the CIRTs, minus reserving a slot for a CWAC member. (See discussion below.)
- Balter: Agrees with Benjamin. However, does CWAC have the ability and discipline to not get embedded in the details and to only look for patterns? CWAC adds no value in reviewing individual cases. However, we can look for patterns and links. A necessary role is to help avoid having the legislature create new law from the circumstances of a particular case. Is not sure if CWAC would be able to take on that role.
- Stiegler: Puts CWAC in a more proactive than reactive role. For the SRC standing member, it would be better that the individual CWAC participant be chosen depending on the circumstances of the sensitive review and the expertise that would be most beneficial. The CWAC member would report to the CWAC, not on the details of the report, but on issues that CWAC might need to give input on.
- Hazelton: For example, CWAC might say the recommendations and conclusions are new or something they have heard before.

- Stiegler: Whether or not they are recurrent issues could be part of a CWAC recommendation.
- Serice: We have had only two SRCs. It is still a work in progress. Reminder that confidentiality prevents us from sharing case-specifics; however we can talk about the findings and recommendations with CWAC because those will be made public. The standing member from CWAC would not be able to talk about the case when reporting to CWAC.
- Stiegler: We want the broad report, not the details.
- Balter: He is also interested in seeing how CWAC could respond if a legislator proposes narrow legislation as a result of an SRC. Could CWAC respond better when they know what is driving the legislation? CWAC can do what DHS cannot and be stronger in our recommendations.
- Stiegler: The CWAC participant can provide that context. CWAC can respond by letter to the legislature, since technically CWAC was created by them through ORS. Is FIWG's recommendation that CWAC adopt the recommendations prepared by Bryan Johnston?
- Hazelton: Yes with the amendment that the person filling the CWAC standing position will be decided by the expertise needed for the specific SRC.
- Balter: When a CWAC member is selected for an SRC, it will be important to recall their charge to look at the larger policy issues that come out of the details. That charge comes from the DHS director to the SRC and from CWAC to the CWAC member.
- **ACTION: The February 2008 draft recommendations will be modified to include a statement about the person filling the CWAC standing position being decided by the expertise needed for the specific SRC. Judy will send the draft recommendation to FIWG for review before it goes to CWAC for their approval on 11/12/08.**

ROLE OF CWAC IN CRITICAL INCIDENT REVIEW TEAM (CIRT) PROCESS

- Stiegler: This issue came to CWAC in January 2008.

- Hazelton: During the 9/10/08 meeting, Erinn Kelley-Siel mentioned CWAC getting reports on the audit points. That puts CWAC in an oversight role which he does not see as an appropriate role. Suggests CWAC not receive individual CIRT reports, just the recommendations that come out of the CIRTs. As individual members using our unique expertise, we would look for red flags regarding proposed policy adjustments.
- Balter: It is better for us to consult on the front end on policy choices rather than provide oversight.
- Stiegler: We are advisory and oversight goes beyond our scope.
- Hazelton: For example, if a recommendation was to adjust a certain policy, CWAC members would consider the implications of that policy change and respond saying they can support it or that it may not provide the desired change.
- Serice: The clock moves quickly when a request for a CIRT is made. Would the CWAC work happen after the CIRT report is posted online? At that point it is public and we are held accountable to it.
- Hazelton: His thoughts are that it would be after it is posted.
- Serice: There is a chance then that the media will see us using CWAC as a way to delay moving the policy change forward. Maybe the CIRT recommendations would need to be worded in a way that shows they are recommendations proposing a policy change to CWAC. This would add additional steps to the public forum process of developing policy.
- Stiegler: There was general agreement that we do not want the detail level, but the big picture connection. Asked if Benjamin would be willing to draft a recommendation based on this discussion.
- Hazelton: Agreed to draft the recommendation.
- Balter: On page 7 of the CIRT Review Committee's final report, the last paragraph of Recommendation D has CWAC as part of the execution of quality assurance. CWAC should only be looking at recommendations on policy or training changes. Leave CWAC out of implementation and quality assurance. So that CWAC doesn't slow the process down, we could call a special CWAC meeting to review the CIRT 30-day reports. If a CIRT report includes a recommendation on policy or training, one possible CWAC recommendation could be to slow down and give careful consideration to the policy change.

- Hazelton: Participated in the CIRT review and is concerned with the speed with which some policy changes are made.
- Balter: When conditions in the case are exceptional, could DHS administration say they have the authority to supersede policy in that particular case and then review for a possible policy change later?
- Serice: Not sure how we could capture that. Most policy is in administrative rule. We can do emergency exceptions, but with rule there is a formal process that must be followed.
- Stiegler: Benjamin will draft a recommendation and route it to FIWG for input. It will be prefaced with an explanation of today's conversation to help the absent FIWG.
- Balter: Frame the recommendation to clarify that CWAC is to be in a policy advising position pre-implementation rather than in an auditing position post-implementation. That is true for both the Sensitive Review Committee and CIRTs. If CWAC does not agree with that assumption, we must resolve that before we can move forward with our recommendations.
- Stiegler: That is when we pull out the bylaws and statutes.
- Balter: DHS has many auditors. We can create a buffer if we say the agency is going in a direction that is not good child welfare policy.
- Stiegler: Some CWAC members do want the auditor role. But we are advisory to help the agency not get into such situations.
- Hazelton: Unlike the SRC, the CIRT has no standing membership for CWAC.
- Stiegler: Any standing CIRT members are functional to the particular case, such as the district attorney for the affected geographical area.
- Hazelton: Will be clear in the recommendation that we are suggesting a standing position for the SRC but not for the CIRT.

ACTION: Benjamin Hazelton will draft a recommendation. It will go to FIWG for review before it goes to CWAC for their approval on 11/12/08.

TRANSPORTATION OF FOSTER CHILDREN TO SCHOOL

- Serice: This issue came to CWAC when Multnomah County was transporting children by taxi after HB 3075 (2005 session) became law.

Safeguards have been put in place. He has asked District Manager Jerry Burns for an update.

- Balter: Janet Arenz brought this issue up again at the last FIWG meeting. He is not sure if it was because residential treatment providers must also provide this transportation or not.
- Hazelton: In framing the issue within a policy discussion: Is it an acceptable policy choice to send children to school by taxi in order to keep them in their home school district?
- Stiegler: This may be an example of CWAC getting into the details and not something CWAC need address.
- Serice: Ramona Foley brought this to CWAC when it was a hot issue; however, he thinks the issue has been worked out.
- Hazelton: It is somewhat of a policy/practice issue. He is less bothered by transporting from home to school – two familiar locations. He is more concerned about using taxis for transporting to visitations and psychological evaluations. His personal opinion is that using taxis is more acceptable when between safe and familiar places.
- Stiegler: We will pend this until we get an update from Jerry Burns and can know what the potential policy implications are.
- Balter: Is the Juvenile Rights Project the only one with energy on the issue?
- Serice: The legislation JRP proposed resulted in the need to transport. JRP thought foster parents would be able to provide the transportation, but in reality, foster parents have not been able to carve out the time.
- Stiegler: Benjamin's concerns are outside the original issue of transporting to school and show that there might be broader policy implications.
- Balter: We are interested in how HB 3075 was implemented. Keep the report to that. Is a report to the legislature required of DHS?
- Serice: We had to make a one-time report. If CWAC wants to look at transportation in general, then we would add medical appointments and visitations. If CWAC wants to look at the implementation of HB 3075, that would be for transporting to school only. Offered to ask the field managers to report on transportation of all types.
- Balter: The report should come to FIWG to frame it before it goes to CWAC.

ACTION: Mickey Serice will collect information from field managers on methods used to transport children to school, medical appointments, visits, etc. The reported information will be shared with FIWG, who will decide if there is an issue to be framed and presented to CWAC for discussion and action.

TEEN ISSUES IN CHILD WELFARE SUBCOMMITTEE REPORT

- Stiegler: The subcommittee had been given the task of looking at the Oregon Safety Model's impact on services to teens. They subsequently looked at how well prepared teens are when they exit the child welfare system to enter adulthood. The subcommittee's report to CWAC on 9/10/08 concluded that they could not answer either question.
- Hazelton: Respectfully disagrees with the subcommittee chair's conclusion. He sat on the subcommittee and stated in their meetings that there is no statistical evidence showing a change in teen access to child welfare services pre and post Oregon Safety Model. He does agree with the subcommittee report's statement that there has been only a certain amount of time in the OSM and the agency is still working on full implementation of the model. He supports the recommendation to look again later to see if the data changes. However, the data collected and available to us shows no cause to believe the OSM is preventing teens' access to child welfare services.
- Stiegler: Was there an assumed outcome that the data did not support?
- Hazelton: Somewhat. Other members agreed with his position and wanted to move onto the second question about how well prepared teens are when entering adulthood. The current foster care cohort was compared to the findings in the Casey Foster Care Alumni Study. The study reports that two or fewer placements lead to better outcomes. DHS data show 64% of the current cohort exceed that recommended number of placements. An analysis may tell us that work is needed to stabilize placements.
- Balter: Do we agree that the Oregon Safety Model question has been answered and that we need to formulate the next task for the subcommittee?
- Stiegler: Yes. The subcommittee had an inconclusive response to the question about how well prepared teens are and Benjamin is saying he would be interested in working on it more.

- Hazelton: Can work with CAF Research (Maria Duryea) on a one-pager. Then we can look for policy changes for consideration or things the agency is already doing that we can support.
- Balter: So the next task is to refine the definition of “how well prepared.” FIWG should structure it for the subcommittee or meet with them to get them focused. There was a belief that previous CAF administrations were less focused on teens. But former Assistant Director Ramona Foley stated CAF did not prioritize younger children. Will draft a recommendation for Benjamin to review. It will conclude the subcommittee’s work on the OSM is completed and move on to the second question.
- Serice: A challenge of working with teens is that most services to them are voluntary because they are able to make their own decisions. Because they are struggling with independence, a different approach is needed.

ACTION: Mike Balter will draft a recommendation. It will go to FIWG for review before it goes to CWAC for their approval on 11/12/08.

Meeting adjourned.