



**Washington State Supreme Court
Commission on Children in Foster Care
March 20, 2017
Meeting Minutes**

Members Present

Justice Bobbe Bridge (ret.), Washington State Supreme Court, Commission Co-Chair
Ms. Jennifer Strus, Assistant Secretary, Children's Administration, Commission Co-Chair
Judge Kitty-Ann van Doorninck, Superior Court Judges' Association (designee for Judge Michael Downes)
Mr. Mike Canfield, Co-Chair of Foster Parents Association of Washington
Ms. Kristy Healing, NW Intertribal Council
Ms. Jeannie Kee, Foster Youth Alumni Representative
Ms. Jill Malat, Office of Civil Legal Aid (designee for Jim Bamberger)
Ms. Tonia Morrison, Parent Advocate Representative
Mr. Ryan Murrey, Executive Director, Washington State CASA
Ms. Joanne Moore, Washington State Office of Public Defense
Ms. Jess Lewis, Office of Superintendent of Public Instruction (designee for Randy Dorn)
Ms. Carrie Wayno, Attorney General's Office (designee for Bob Ferguson)

Members Not Present

Rep. Ruth Kagi, Washington State House of Representatives
Senator Steve O'Ban, Washington State Senate
Mr. Sabian Hart, Foster Youth in Care Representative
Mr. Jim Bamberger, Director, Office of Civil Legal Aid

Guests

Ms. Cindy Bricker, Sr. Court Program Analyst, AOC
Mr. David Del Villar, DSHS/Children's Administration
Mr. Patrick Dowd, Office of the Family and Children's Ombuds
Ms. Lauren Frederick, The Mockingbird Society
Mr. Louis Gasper, The Mockingbird Society
Ms. Erin McCann, Giddens Foundation/Ballmer Group
Ms. Laurie Lippold, Partners for Our Children
Ms. Regina McDougall, Office of Homeless Youth

Staff Present

Ms. Melanie Nadon, CCFC Staff Intern, Center for Children & Youth Justice
Ms. Nichole Kloepfer, AOC

Call to Order

Justice Bridge called the meeting to order at 1:07pm. She welcomed all Commission members and guests and invited everyone to introduce themselves.

DSHS/Children's Administration Updates

Assistant Secretary Strus began the meeting with an update from Children's Administration. She began by discussing some of the legislative issues that the Department is currently facing. The largest issue at hand is the status of HB 1661, creating the Department of Children, Youth and Families. Asst. Secretary Strus shared that the bill had passed in the House the previous week and would be heard in Senator O'Ban's committee the following week, on March 27th. She explained her expectations for the bill moving forward, including that she anticipated there being concerns with funding for the bill, much like what had happened with the creation of the Department of Early Learning.

Asst. Secretary Strus also noted that there were several other bills relating to foster care that had been heard in Senator O'Ban's committee over the last few weeks. She explained that while many of these were very positive and were pieces of the "Reinventing Foster Care" package, some were potentially concerning. She specifically cited one bill, SB 5656 which would criminalize parents when their children run away and become homeless. However, she expressed that many of the bills were positive and could lead to some very important changes. She also explained that there was an actuarially rate study on foster care expenses that was expected to be funded this year, which had not been done for almost 20 years. This study would be significant as it would help in illustrating that the costs for foster care currently outweigh the pay for the services provided.

Asst. Secretary Strus then opened the floor for questions. Judge van Doornick asked for an update about numbers and staff retention, to which Asst. Secretary Strus responded that there was an 18% turnover rate currently and that the Department was still working on solutions to this problem.

Foster Care Funding Collaborative

Erin McCann of the Ballmer Group and Giddens Foundation then spoke to the Commission about the Foster Care Funding Collaborative, an initiative created by the Giddens Foundation and Ballmer Group. The initiative began as an effort to understand why retention of foster parents/homes is still a problem and what child placing agencies and foundations could do to resolve the problem. The initiative identified 13 homes/agencies, including Accelerator YMCA and Olive Crest, and held meetings and conducted research to understand what the needs of these organizations were. The initiative was split into three subcommittees, recruitment, retention, and advocacy, and each committee worked with the partnered homes to develop proposals for the changes they wanted to see. Ultimately, the initiative is hoping to increase the capacity of child placing agencies by 50% in the next 3 years. Stakeholders and funders involved in the Collaborative wanted to know how homes and agencies could work collaboratively to best achieve the goal.

Mr. Canfield noted that the general goal of this process was still to focus on what's best for the kids, not the agencies. Ms. McCann agreed and explained that this initiative was hopefully going

to increase information and data sharing between organizations to get better practices on recruiting, full cost accounting, and staffing, which would ultimately allow agencies to best serve kids. Some organizations in the LA area have been working on a similar project which focused heavily on big data and data sharing across agencies. Ms. McCann said that the evidence from this LA-based initiative revealed that the data sharing helped agencies collaborate and better serve foster families in the region. The hope for this project was to do the same. Mr. Canfield agreed and also noted that as another part of this effort, surveys were being conducted with a large sample of agencies, foster parents, and foster youth. Some key results of these surveys included that foster parents working with private agencies are typically happier than those working with state agencies and that 80% of parents across all agencies surveyed would be willing to be permanent.

Mr. Dowd asked if this initiative research found that private agencies have the same needs and motivators as state agencies. Mr. Canfield responded that many agencies exist to serve specific roles, such as adoption, specific child needs, and helping kids in long-term foster care, but that we need more data on utilization rates to more thoroughly understand the differences in agencies and the types of foster parents working with each one. Ms. McCann also noted that there is an evaluator tool from Casey Family Programs which is used to help potential foster parents find out which type of agency can best serve their needs and interests. Ms. Wayno next asked what concrete things the funders thought needed to be happening but were not currently. Ms. McCann answered that the funders were typically hoping for more strategic plans, centralized data collection, and information sharing between agencies.

Office of the Family and Children's Ombuds Annual Report

Mr. Dowd, Director of the Office of the Family and Children's Ombuds, provided a presentation on the OFCO's Annual Report for 2015-2016. He began by clarifying the role of the OFCO, explaining that the Office conducts independent, impartial, and confidential reviews of Department actions or conduct. As part of this role, the OFCO is empowered to investigate complaints, induce DSHS to change problematic decisions, and recommend system-wide improvements to the Legislature and the Governor.

Mr. Dowd proceeded to discuss the key findings of the OFCO annual report, beginning with complaint profiles. He explained that in 2016 the Office received 778 complaints, the most the Office had ever received in one year. The majority of these complaints came from parents and other family members; 70% of the children identified in complaints were age 9 or younger. The two largest complaint issue areas were 1) separation and reunification of families, and 2) the conduct of CA staff and agency services.

Also noted in the Annual Report were adverse findings. Mr. Dowd revealed that 44 adverse findings were made in 2016. The top issues for these adverse findings included child safety, parents' rights, and poor casework practices. He also discussed an Interagency Agreement between the OFCO and DSHS, which seeks to enhance transparency and accountability for OFCO findings. Part of this agreement allows CA to request to modify findings. OFCO received 10 requests from CA to modify findings in 2016 and consequently withdrew two of these findings.

Lastly, Mr. Dowd discussed systemic issues and recommendations noted in the Annual Report. The OFCO expressed four primary issues: 1) shortage of foster and residential care placement resources, 2) working with incarcerated parents, 3) improving outcomes for children in group care, and 4) meeting the needs of LGBTQ+ children and youth in state care. Some key recommendations for resolving these issues included: developing a range of placement options for children with mental health and behavioral needs, enhancing support for foster parents (such as respite care and the Mockingbird Family Model), increasing focus on incarcerated parents throughout the child welfare case process, and encouraging CA and DOC to adopt policies and practices regarding promoting communication with incarcerated parents.

Youth Advocacy Day Update

Ms. Lauren Frederick and Mr. Louis Gasper with the Mockingbird Society provided the Commission a review of Youth Advocacy Day (YAD), which took place on February 10th, 2017, and updates on their 2017 Legislative Agenda.

Mr. Gasper began the presentation by discussing some highlights from Youth Advocacy Day, including the results of a survey that Mockingbird distributed to youth attendees. Some significant results of this survey included: 1) 97% of youth respondents met with a legislator/policy maker/legislative aid on YAD, 2) 91% felt that their participation in YAD made a difference in improving the lives of foster/homeless youth, 3) 90% felt inspired by Youth Advocacy Day, 4) 89% responded that they feel more connected to foster/homeless youth in the community after participating in YAD, and 5) 56% of respondents said that YAD was the first time they had spoken to a legislator.

Ms. Frederick then provided the Commission with an update on the 2017 Legislative Agenda. The Lead Policy Agenda included four items: 1) Improve normalcy and access to independence by piloting a program to help foster youth with paperwork and fees necessary to obtain a driver's permit, license, and insurance; 2) Recruit and retain foster parents through renewing the budget proviso for Mockingbird Family Model constellations; 3) End youth detention for status offenses by eliminating the use of the Valid Court Order Exception; and 4) Prevent sexually transmitted infections and unwanted pregnancies by working with CA to ensure foster youth receive comprehensive, medically accurate information about sexual health and relationships. Ms. Frederick explained that the first item had been passed out of the House and was moving to the Senate and the second item had been included in the Governor's base budget. However, the third item was not voted out of the Senate Human Services Committee.

Next, Mr. Gasper provided an update on the four Support Policy Agenda items: 1) Provide legal representation by granting legal counsel to all children and youth in foster care before their 72-hour shelter care hearings; 2) Improve educational outcomes by supporting an education package bill that requires consolidation of unresolved or incomplete coursework due to foster care placement transfers; 3) Prevent and end homelessness in schools through supporting the Homeless Student Stability Program budget request; and 4) Support at-risk youth and families by increasing funding to improve and expand the Family Reconciliation Services program. He explained that the first item, forwarded by HB 1251, did not come up for a vote in Appropriations but that they were working on a two-county budget proviso. The second item,

supported by SB 5241, was voted out of the Senate unanimously and has moved onto the House. The third item is in the Governor's base budget for \$4 million and the fourth item has requested \$1.2 million budget.

Ms. Frederick also provided updates for the three Community Led Proposals: 1) Enhance data collection to improve services for youth by allowing youth under 18 to consent to providing their personally identifying information for the Homeless Management Information System; 2) Re-envision a system of care for children and youth by supporting the creation of the new Department of Children, Youth, and Families; and 3) Improve statewide homeless youth services through advocacy for the implementation of the OHY Strategic Plan near-term action agenda. She explained that the first item was being considered in the Senate and House Rules Committees, that the second item had passed in the House on March 15th, 2017, and that the third item had several items currently in process.

Mr. Gasper noted that Mockingbird was specifically seeking guidance on the Lead Policy Agenda item for comprehensive sexual education and that he and Ms. Frederick were hoping the Commission could provide recommendations for specific curricula or programs that might be helpful. Justice Bridge asked members if they would be interested in creating a workgroup to take on this issue. Ms. Malat noted that Seattle Children's Hospital may have some good information on the topic and she expressed interest in creating a workgroup to look into the matter. Ms. Lewis asked if Mockingbird had considered piloting a sex education program with Hub Home families initially to collect feedback on effectiveness and processes, which Ms. Frederick agreed might be a good idea. Ms. Kee then noted that this was a topic area that may fall within the interests and capacity of the Normalcy Workgroup already. Justice Bridge agreed that this may also be a possibility and decided that she, Ms. Kee, the Mockingbird representatives, and any other interested parties should discuss the matter over the coming weeks and come back to the next meeting with a proposal on how to tackle this issue.

Interagency Workgroup on Youth Homelessness

Ms. Regina McDougall with the Office of Homeless Youth spoke to the Commission about the new Interagency Workgroup on Youth Homelessness which she is convening beginning in May. She explained the role of the Workgroup, which was created by a Governor's Directive in 2016. The Workgroup is administered by the Washington State Office of Homeless Youth, under the Department of Commerce. The primary goal of the Workgroup is to prevent youth from exiting public systems into homelessness. As part of this goal, there are 5 primary issue areas: stable housing, family reconciliation, permanent connections, education and employment, and social and emotional well-being.

The OHY hopes to include a number of stakeholders in the workgroup, such as agency leaders, service providers, advocates, elected officials, and philanthropy organizations. Ms. McDougall stated that the first order of business is to reach out to and involve individuals from each of these stakeholder groups. Given the wide array of stakeholders and the five defined issue areas, Ms. McDougall explained that she expects the Workgroup will form subcommittees to tackle particular issues and work. Her hope is that the Commission can provide ideas or initiatives for the workgroup to consider as it kicks-off in May. Justice Bridge agreed that the Commission should remain involved in the Workgroup's communications and work and invited Ms.

McDougal to return to the Commission with updates on their processes and needs moving forward.

Court Improvement Project Update

Ms. Cindy Bricker, Senior Court Analyst with the Administrative Office of the Courts, updated the Commission on the status of funding for the Court Improvement Project (CIP). Ms. Bricker explained that while the basic grant for the CIP was approved which would cover some salaries for those working on the CIP project, the training and data grants were lost due to their funding being imbedded in the federal Families First legislation, which did not pass. The funding, which is used to support a number of key programs and trainings in Washington State, will be lost after September of 2017. Mrs. Bricker noted that CIP staff had determined they would use the basic grant funding to continue to fund Mr. Matt Orme's research position and half of her own position and that the remaining funding from the basic grant would be left for travel or related expenses.

However, the loss of the training and data grants is still a large concern as this grant primarily funded the Court Improvement Training Academy (CITA) program. The CIP team is still looking for ways to fund this program and is hoping to find some small grants or other funding that may be able to support the effort temporarily. Justice Bridge noted the loss of funding was not a result of the program's lack of strength, because the program was necessary and very effective. She explained that she had therefore been working to involve private philanthropy as a possible solution. The intention is to restore the public funding for this program and so she also noted that any philanthropic involvement should be temporary.

Fair Deal for Foster Kids Initiative

Ms. Laurie Lippold, Director of Public Policy with Partners for Our Children, spoke to the Commission about the Fair Deal for Foster Kids Initiative, which is now being called "Reinventing Foster Care". She explained that this initiative is a package of bills intended to positively impact the foster care system. This package was put together by Representative Kagi and the initiative has been advocating for the package with a one page list containing the initiative's broad priorities and most prominent legislative items. Ms. Lippold explained that the final package of bills covered a wide range of issues that broadly impact foster care, including education issues, child care funding, and foster parent support. The hope of this broad range of priorities was to mobilize support from a number of different legislators who have interests and concerns beyond Representative Kagi's priorities.

Ms. Lippold also noted that there was a rally in Olympia on March 10th, 2017 in support of the Reinventing Foster Care initiative. Attendees from various stakeholder and supporting groups rallied to gain backing for the initiative and sought to mobilize legislators by distributing bags containing information on the goals of the initiative and the one-page priorities list.

Discussion on Current Legislative Issues

Ms. Lippold also discussed some broader current legislative issues relevant to the Commission. She noted that there are several important bills being heard, many of which are necessary to implement the budget. The first bill she discussed was SB 5890, which concerns Foster Care and Adoption support. Ms. Lippold explained that the details of the bill were complicated, but one

prominent section of it calls for permanency/case review at 12 months and repeals means testing for kinship caregivers. Ms. Lippold also discussed HB 1624, which concerns Working Connections Child Care. This bill would fund Working Connections Child Care for an extended period of time after a FAR or CPS case closes so that families can effectively transition from systems involvement without losing their child care once a case closes. Additionally, Ms. Lippold briefly discussed HB 1661, which creates the Department of Children, Youth, and Families, HB 1825, which extends the timeline for completing a FAR investigation from 90 days to 120 days, and HB 1867, which concerns amendments to extended foster care that are intended to increase housing stability for foster youth.

Ms. Lewis asked if HB 1867 would fix the extended foster care issue in which kids going to college lose their eligibility for the program during their summer break. She expressed that this was a particularly concerning problem because when kids become disqualified in this way, they often drop out of college. Ms. Wayno responded that this issue should not be a problem but that it is often happening due to misinformation. She asked Ms. Lewis to contact Mary van Cleve with Columbia Legal Services, who could possibly provide Ms. Lewis with more information on this particular issue.

Adjourned at 4:00pm by Justice Bridge.