

Recommendations for Improving County of San Diego Child Welfare Services

A Report to the County of San Diego Chief Administrative Officer

Child Welfare Services Review Working Group

December 4, 2018

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About the County of San Diego Child Welfare Services Review Working Group

The County of San Diego Child Welfare Services (CWS) Review Working Group was formed as an ad hoc subcommittee of the Child Abuse Prevention Coordinating Council (CAPCC), by the County Administrative Officer at the request of the Board of Supervisors in a memorandum dated August 10, 2018.

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Executive Summary

Over the past months, a substantial amount of information was presented to and considered by the Working Group about the current policies and practices of the County of San Diego's Child Welfare Services (CWS) Agency. Housed under the Health and Human Services Agency, CWS seeks to identify, address, and serve the needs of abused or neglected children and their families. Keeping children safe from harm is both critical and a fundamental tenet of the county's *Live Well San Diego* mission.

Notably, CWS has adopted many thorough and detailed policies to guide practices in the field. The policies set a standard of best practices in comparison to other counties, both in California and nationally. Challenges exist, however, when CWS is faced with putting those well-intentioned policies into practice. These challenges have created a disparity in outcomes for children and families with whom the system interacts, which must be addressed. The goal must be the safety and well-being of each and every child.

Among the problems identified by the Working Group and addressed by its recommendations are:

- Children, parents, and caregivers do not consistently have a meaningful voice in the system
- Insufficient coordination between the regions and central management leads to inconsistent and distorted application of policy into practice
- High workloads, insufficient training, and pervasive secondary traumatic stress which lead to inadequate investigations and outcomes
- Lack of transparency about policies and practices results in a lack of trust and confidence in the system
- Lack of focus on child safety and the minimization of further system-induced trauma as the central considerations in all decision-making

Based on the presentations and reports that we carefully considered and reviewed, the Working Group finds that a transformation of the current Child Welfare Services Agency is needed and that this reform must not be undertaken in regional silos, but rather, be embraced as a coordinated effort of CWS Leadership in partnership with community partners and the juvenile courts who share a commitment to children's safety and a vision for better outcomes.

Introduction

Over the last decade, the County of San Diego Health and Human Services Agency (HHSA) Child Welfare Services (CWS) has made strides in building a more responsive and impactful system to meet the needs of the children, youth, and families who come to its attention. Anchored within the HHSA's *Live Well San Diego* initiative, CWS has developed Safety Enhanced Together (SET), a values-based practice framework, and integrated best practices such as Safety Organized Practice (SOP) and many others.

These have significantly reduced the rates of entry into care and reduced the numbers of children placed in out-of-home care. For all these changes, CWS has received state and national recognition.

The County of San Diego leadership is recognized for these gains. At the same time, there is an awareness that more needs to be done to sustain and improve upon those gains given the complexity and challenging nature of the field.

The County of San Diego Child Welfare Services Working Group (Working Group) was created following lawsuits and media stories about children being neglected and abused in foster care. These occurrences along with other negative stories have motivated interest in a fresh, broad review of CWS policies, practices, procedures, and organizational culture.

Working Group Process

The Working Group convened on August 22, 2018 and conducted 17 weekly meetings that featured numerous presentations by the County of San Diego Child Welfare Services (CWS) management and staff.

The Working Group was charged with assessing the state of the County's child welfare system to identify organizational, policy, legal, and practice barriers to child safety, timely case processing, and permanency. Its end goal was to make recommendations to improve the well-being of the children the County serves.

The Working Group approached this project with three goals in mind:

- Achieve meaningful and lasting child welfare system changes and thereby significantly improve the well-being and case outcomes for all children and families in their care
- Enhance the performance and impact of the many professionals in County of San Diego Child Welfare Services (CWS)
- Expand the trust and confidence of the community members and partners in the County of San Diego government and its child welfare system

Numerous pieces of information were reviewed by the Working Group including:

- Documents covering all aspects of CWS policies and procedures
- Numerous state and federal legislative mandates and directives
- CWS program documents and analytical reports
- Casey Family Programs publications and research reports
- Blue Ribbon for Kids Commission Final Report, March 2015, Clark County, NV

Identified Areas of Need

The Working Group has identified a number of gaps and deficiencies that are critical to the effectiveness and responsiveness of the system. These gaps and deficiencies indicate a strong need for transformation of the current CWS culture in addition to its policies and procedures. This reform must be undertaken as a coordinated effort of CWS Leadership in partnership with the court system and the community partners who share the same commitment to the vision that every child grows up safe and nurtured.

This set of recommendations covers a wide range of issues identified in CWS policies, regional structure and operations, legal barriers, workforce management practices, communication and relationships with stakeholders. They should be considered a starting point for systemic changes that must be made to improve safety for children and youth.

Focus Areas and Recommendations

The recommendations developed for this report range from specific interventions that can be readily implemented to systemic solutions that will require multiple partners, organizational change, and cultural change. Some are quick fixes and others provide a road map for CWS to build upon the many system strengths and improvement efforts already underway.

The Working Group's recommendations fall into six strategic focus areas:

1. Child Welfare Services Organizational Leadership, Vision, and Culture
2. Child Welfare Services Operations
3. Protective Services Worker Oversight and Support
4. Legal and Policy Barriers
5. Voluntary Services Protocol
6. Resource Family Approval Process

The Working Group was not able to deal individually with all of the many issues and ideas compiled during the 90-day mandated completion timeframe, but the group recognizes their value and recommends they be further examined by a follow-up standing committee of the CAPCC to assure the children of San Diego County continue to receive every possible benefit and protection.¹

¹ Focus areas for future consideration include: 1) Explore electronic cross-reporting between Child Welfare Services and law enforcement agencies; 2) Analyze issues of AWOL/runaway children and insufficient availability of placements for these high-needs children.

Focus Area 1: Child Welfare Services Organizational Leadership, Vision, and Culture

Key Recommendations

1. **Transformative and Transparent Change:** Commit to real transformative and transparent change.
2. **Leader Selection:** Select leaders who earn and inspire confidence and engagement.
3. **Child Abuse Prevention Coordinating Council (CAPCC):** Utilize the CAPCC to improve CWS transparency and responsiveness.

Key Recommendations in Detail

1. Transformative and Transparent Change

Problem Definition and Findings

The general public, child welfare stakeholders, and interest groups impacted by the County of San Diego Child Welfare Services (CWS) report a lack of confidence in the system. These attitudes have been fueled by high profile stories in the media that reinforce public perceptions of an unresponsive and uncaring bureaucracy and by personal stories that are shared after direct interactions with CWS.

Each new negative story augments beliefs that CWS lacks an effective focus on better outcomes for children and families. While the mission and values of CWS are clearly articulated and there is evidence of good practice and outcomes, the inconsistent application across regions allows problems to persist. The Working Group found that the agency's response to these perceptions often comes across as reactive and self-protective. There is a failure to spark the internal changes needed for effective process improvement and consistent excellence.

There is also awareness that CWS has undertaken several major efforts to create effective change. A powerful example is the 2015 implementation of the Safety Enhanced Together (SET) practice framework, which articulates a vision for keeping children safe and nurtured, outlines agency priorities, and establishes shared values. However, findings from the Working Group indicate implementation challenges and shortcomings preventing permeation of the practice framework across all segments of the CWS workforce and the larger agency culture.

Recommendations:

- Identify leaders with the skill to direct, model, and inspire others as champions for excellence. While good managers keep the current system running and avoid risk, successful change requires courageous leadership to deliver and sustain a higher level of performance.
- Create an implementation team to expand and evaluate Safety Enhanced Together (SET) efforts. The implementation team should be inclusive of community stakeholders and focused on the achievement of intended outcomes.
- Actively involve stakeholders in establishing forward looking core values, adding to the foundation established by SET, to provide consistent decision points for leadership and staff for strategy, prioritization, execution, and personnel practices.
- Create public recognition for staff at all levels whose work personifies these values.

Expected Outcomes:

- Better outcomes achieved due to durable change in CWS culture
- More empowered and energized workforce
- Improved staff recruitment and retention
- Greater transparency and accountability throughout the organization
- Employment decisions that reflect organizational culture goals
- A motivational basis for acknowledging and rewarding staff behavior
- Improved reputation within the community and among partners
- An enriched common language that staff can rally behind that drives innovation and clearer communication with partners
- A framework for improved relationships between employees and stakeholders
- Increased staff buy-in and support through the change process
- A sense of trust and pride among stakeholders

2. Leader Selection

Problem Definition and Findings

The *CWS reputation* is the story people tell themselves and others about the organization based on their personal experience. It is too often driven by negative stories: a combination of media stories, partner stories, child stories, parent stories,

and internal staff stories. The persistence of negative stories that affect its reputation is made more problematic because they are in sharp contrast to the promise offered by the organization's purpose: Every child grows up safe and nurtured.

CWS needs leaders who understand that changing the experiences, and therefore stories, is the only way to create an organization that will garner support and trust. Leaders focused on delivering high quality experiences will also create the outcomes that inspire confidence and engagement.

Recommendations:

- Identify leaders with a clear willingness to examine their organization with honesty and transparency.
- Actively involve children, youth, and families and providers to create plans and implement policies that change experiences and result in greater positive impact.
- Enhance education and training to create better experiences of CWS improving the lives of children and families that can influence the public's consciousness.

Expected Outcomes:

- Changes focused at the experiential point of contact rather than policy level
- Emphasis on relationships that are more aligned to staff work
- More durable and powerful outcomes and impact for children and families
- Improved transparency with the community and with all stakeholders which builds trust and collaboration
- More powerful tools to motivate, recruit, and retain staff

3. Child Abuse Prevention Coordinating Council (CAPCC)

Problem Definition and Findings

The purpose of the CAPCC as set forth in the Administrative Code is to advise the Board of Supervisors and the Chief Administrative Officer (CAO) in matters related to its leadership role in coordinating the community's efforts to prevent and respond to child abuse and neglect. It does this by identifying and addressing the needs of children and youth who are in the public charge, as well as children and youth whose safety and welfare may be at risk.

Its official duties and responsibilities include:

1. Serve as an informational resource for the Board of Supervisors on issues related to child abuse and neglect.

2. Provide a forum for interagency cooperation and coordination in the prevention, detection, and legal processing for child abuse cases.
3. Promote public awareness of abuse and neglect of children and the resources available for intervention and treatment.
4. Encourage and facilitate training of professionals in the detection, treatment and prevention of child abuse and neglect.
5. Recommend improvements in services to families and victims who are in public charge, as well as children, youth and families whose safety and welfare may be at risk.
6. Encourage and facilitate community support for child abuse and neglect and family support programs.
7. Recommend proposals to the Board of Supervisors for grants from the County Children's Trust Fund.

In its present form, the CAPCC is chaired by CWS management and tends to set agendas designed for a public forum (Items 2. and 3. above) covering general information to a regular audience of mostly health care and child welfare professionals. It seldom includes community members.

The CAPCC does not include stakeholders that work with the County's children and families on a daily basis. These stakeholders are the ones most knowledgeable about the issues described elsewhere in this report. Nor does CAPCC deal with problems, only with promotional presentations and reports covering new and ongoing programs. In this respect, the CAPCC is considerably handicapped in attempting to meet one of its most important stated responsibilities as stated above in #5.

Recommendations:

- Change the chair of the CAPCC from CWS management to a community representative, ideally an executive level representative of a community partner with the experience and expertise to set an agenda that includes community concerns and can provide more transparency to the community.
- Establish a standing CAPCC subcommittee of concerned and knowledgeable community partners who can understand and effectively promote implementation of the recommendations in this report and monitor their progress.
- Authorize the new CAPCC standing subcommittee permission to investigate and report to the CAPCC chair on issues raised by community partners, children and families, or the general public that pertain to the implementation of recommendations in this report.

- Require the CAPCC to monitor and issue a periodic report to the CAO and Board of Supervisors, in cooperation with CWS, on the current state of Child Welfare Services that includes the implementation of "...improvements in services to families and victims who are in public charge" per CAPCC responsibility #5.

Expected Outcomes:

- Early and successful implementation of the recommendations that are approved
- Greater transparency of CWS operations and services to the public
- Improved public confidence in CWS and County government
- Improved teamwork among CWS staff members, community partners, and the judiciary
- Better outcomes for children and families
- Reduced system-induced trauma to children and families
- Checks and balances for handling public concerns that cannot be resolved by the ombudsman function
- Greater fulfillment of the CAPCC's duties and responsibilities

Focus Area II: Child Welfare Services Operations

Key Recommendations

1. **Organizational Realignment:** CWS Policy and Operations under a common leader and organization structure.
2. **Initial Placement of a Child in Out-of-Home Care:** Centralize CWS decision-making authority regarding placements for children entering out-of-home care from Polinsky Children's Center and the Regions to one centralized unit.
3. **Ombudsman:** Review the organizational placement of the Ombudsman office.
4. **CWS Policies:** Make available to the general public, all CWS policies.
5. **CWS Director Recruitment:** Prior to the retirement of the current CWS Director, select a leader who inspires confidence, has the ability to engage and communicate with all stakeholders while implementing significant organizational change.
6. **Title IV-E Waiver Demonstration Ending:** Determine fiscal impact and develop an operational plan for the ending of the Title IV-E Waiver (September 2019).
7. **Vendor Contracts:** Conduct a review and update of all vendor contracts to ensure compliance with Continuum of Care Reform (CCR) and Resource Family Approval (RFA) process and in support of needed organizational reform efforts.

Key Recommendations in Detail

1. Organizational Realignment

Problem Definition and Findings

The practice of child welfare has significantly changed over the past two years with implementation of CCR and new state mandates for the Resource Family Approval (RFA) process which established a new standard of regulations and requirements that each County must follow.

The San Diego Health and Human Services Agency (HHSA) is divided into six geographic service regions grouped as pairs under three Directors who report directly to the HHSA Director:

1. North Coastal and North Inland
2. North Central and East
3. Central and South

CWS operations are handled by a CWS Manager within each region who reports directly to the regional Director, not the Director of CWS. The CWS Director is an organizational peer, but outside the chain of command and responsible for policy development, not day-to-day operations.

Recommendations:

- Realign current reporting relationships of CWS operations in each region from the Director to the Director of CWS.
- Establish the position of Chief of Social Work, reporting to the Director of CWS, who is focused on the transparent and unified delivery of social work practice across all HHSA regions.

Expected Outcomes:

- Improved overall quality and equity of CWS services to every child and family through greater consistency of case handling among all six HHSA regions
- Unified and improved practice of child placement across all HHSA regions by leveraging all available resources (Polinsky, Foster Family Agency Homes, Relative Homes, etc.) to work towards placing only one foster child or sibling set with each family/home
- Minimized poor case decisions caused by unclear lines of authority and opportunities for appropriate discipline and corrective action
- Better policy and legal compliance by all case workers and each child gets the very best care possible while in CWS custody
- Cultural transformation of Child Welfare to focus on the child's best interest while setting a system-wide standard for excellence of practice
- Improved personnel morale and retention
- Improved ability to share/transfer resources among regions depending upon needs of the community

2. Initial Placement of a Child in Out-of-Home Care

Problem Definition and Findings

In many cases when a child is initially removed and needs to be placed, the decision of where the child will next reside may be made by the Placement Unit at Polinsky Children's Center (PCC) or a placement unit in each of the HHSA regions. The placement units can locate an available home(s), arrange for the child to be moved, and then inform the case-carrying social worker of the decision.

Under this structure, the social worker who knows the family's situation the best is not always the decision-maker. When children come to PCC, the PCC Placement Unit often selects the first available home, rather than the best fit for the child's needs, because they are limited by the 10-day time limit of the child remaining at PCC due to new regulations under the CCR Act.

Recommendation:

- Centralize all placement units. The authority to place a child should rest with a worker focused on the wishes and needs of the child(ren) and family. Factors that should be considered include: siblings who also need placement, proximity of parents, location of school of origin and whether rights to school of origin has been waived by the education rights holder and minor, foreseeability of relative clearing placement in the immediate future, and/or mental health needs of the child.

Expected Outcome:

- The child and family's unique needs will be considered prior to placements being made so that the best placement for the long-term needs are found, rather than the first available home

3. Ombudsman

Problem Definition and Findings

Confidence of the community in the application of policies and procedures of CWS is essential to ensuring children are protected and families are preserved. There exists among some community members the belief the Ombudsman office lacks the needed independence to maintain community confidence in its ability to independently and impartially investigate and resolve complaints.

Recommendations:

- Review the organizational placement of the Ombudsman office to determine if it should reside inside or outside CWS.
- Require the Ombudsman office to regularly provide a summary report to the CAPCC regarding the number, type, final resolution, and/or current status of complaints.

Expected Outcomes:

- The voice of children in foster care is heard and the Ombudsman acts on their behalf
- Children in foster care are able to initiate complaints to the Ombudsman regarding their placement, care, and services without fear of retribution

- Children in foster care are provided with information by the Ombudsman on their rights while placed in foster care
- Uniform policies and standard procedures for complaint resolution are applied by the Ombudsman
- Community complaints are resolved by the Ombudsman promptly in an impartial, objective, and professional manner
- Ombudsman policies and practices are consistent with the goals and mission of the CWS

4. CWS Director Recruitment

Problem Definition and Findings

The current CWS Director will retire on March 30, 2019. The CWS Director Position needs to be elevated in organization authority, position, and compensation to be equivalent to the Directors of each HHS Region.

Recommendations:

- Prior to the retirement of the current Director, select a leader who inspires confidence, has the ability to engage and communicate with all stakeholders while implementing the significant organizational change required.
- Conduct an organizational authority, position, and compensation review of all CWS leadership positions to ensure parity among positions based on required skills and experience and to attract the best talent available.

Expected Outcomes:

- A CWS leader who possesses the necessary skills and experience to:
 - Understand and resolve prior problems
 - Build upon recent innovations and successes of the current leadership
 - Effectively implement needed reforms
- Minimize organizational uncertainty

5. Title IV-E Waiver Demonstration Ending

Problem Definition and Findings

The County became a participant in the Title-IV E Demonstration Project on October 1, 2014. The project ends on September 30, 2019. The concept of the Title IV-E project was to provide flexibility in the use of federal funding to provide services focused on family preservation and fund innovative approaches for child welfare service delivery. This shifted the use of federal foster care funding from a per child in care, to an upfront stable funding source focused on providing programs and services to children and families in need.

The full funding impact of the sunset of the Title IV-E project is not yet known. The federal government is still in the process of determining which prevention services will be funded as part of the Family First Prevention Services Act and California is still deciding whether or not they will participate.

Recommendations:

- Determine as quickly as possible, the potential fiscal impact of the Title IV-E project ending.
- Share the fiscal impact and resulting operational plan with all stakeholders.

Expected Outcome:

- Improved level of service while also supporting needed reform efforts

6. Child Welfare System Policies

Problem Definition and Findings

The policies of the CWS are not available to the general public or vendors/organizations supporting children in care. Organizations/partners supporting children placed in care receive conflicting policy guidance between regions.

Recommendation:

- Make all CWS policies publicly available.

Expected Outcomes:

- Improved accountability and compliance with policies among HHSA regions and community partners
- Improved confidence of the community in CWS

7. Vendor Contracts

Problem Definition and Findings

CCR and RFA have significantly changed many of the regulations and requirements for the delivery of services in CWS. Vendors and community partners supporting CWS operate under contractual guidelines and program service definitions put in place prior to the implementation of CCR and RFA.

Recommendation:

- Review and update all vendor contracts to ensure alignment with the requirements of CCR /RFA.

Expected Outcomes:

- Improved experience and case outcome for children placed in care
- Greater vendor compliance with program and contractual guidelines and mandates

Focus Area III: Protective Services Worker Oversight and Support

Key Recommendations

1. **Primary and Secondary Traumatic Stress:** Increase agency's capacity to address the primary and secondary traumatic stress (STS) that is pervasive in the child welfare field.
2. **Workload Issues and Quality of Protective Services Workers (PSW) Contacts:** Determine whether the caseload sizes and the various types of activities that PSWs perform are consistent with the desired outcomes expected in child welfare cases. This includes considerations for the types of activities that should be regularly occurring in face-to-face contact that better facilitate the attainment of safety, permanency, and well-being of the child.
3. **Capacity to Operate Within a Trauma-informed Lens:** Increase the agency's ability to operate with a trauma-informed approach that is effectively operationalized in practice.
4. **Caseworker Onboarding, Training, and Continuing Education:** Ensure new hires are assigned caseloads commensurate with experience and skill level and enhance workforce continuing education and support through peer mentorship and advanced training.

Key Recommendations in Detail

1. Primary and Secondary Traumatic Stress

Problem Definition and Findings

A trauma-informed child welfare system responds to the special needs of practitioners who work in a trauma-exposed environment. Direct exposure to traumatic situations and regular contact with children, youth, and families who have experienced trauma can result in primary and secondary traumatic stress. Unmitigated trauma can impair workers' health and well-being as well as their ability to perform their functions, including sound case-level decision-making.

Interviews conducted by the Working Group indicated that pervasive and severe STS is felt throughout the workforce. Anecdotally, STS was attributed to high rates of turnover, feelings of professional isolation, and the inability to focus on caseworker and supervisor practice-level concerns.

Current efforts undertaken by CWS include the National Child Traumatic Stress Network's *Child Welfare Trauma Training Toolkit (CWTTT) 3rd edition* pilot facilitated by the Chadwick Center for Children and Families at Rady Children's Hospital-San Diego. A large component of the *CWTTT* pilot focuses on STS and physical and psychological safety. Additionally, with the hiring of a CWS Staff Psychologist, more attention has been paid to debriefing workers following a critical incident. However, a multileveled systemic approach is needed to create a culture of safety and address the highly complex demands on the workforce.

Recommendations:

- Implement a long-term STS-specific intervention for supervisors and caseworkers. Evidence-supported models to explore include Components for Enhancing Clinician Experience and Reducing Trauma (CE-CERT) and the Resilience Alliance: Promoting Resilience and Reducing Secondary Trauma Among Child Welfare Staff.
- Explore Safety Culture initiatives undertaken in Tennessee and other child welfare jurisdictions. Preliminary studies on the integration of Safety Culture have demonstrated lower levels of employee emotional exhaustion.
- Enhance reflective supervision and ensure it is conducted in a private setting with greater emphasis on addressing case-related issues and worker needs as opposed to tasks.
- Provide access to licensed therapists throughout the regions who can provide ongoing support to workers and supervisors.
- Evaluate Employee Assistance Programs (EAP) and providers who specialize in treating STS.
- Enhance manager-level training on STS, conflict resolution, and stress management.

Expected Outcomes:

- Acknowledging the trauma-exposed nature of the work and developing ways to support staff so that they can identify and mitigate the impact of primary and secondary traumatic stress will result in a healthier and more productive workforce that is better able to provide quality services to the children, youth, and families in the child welfare system
- Additional benefits of a trauma-informed organizational culture include higher levels of employee satisfaction, less turnover, and increased commitment to improving child welfare outcomes

2. Workload Issues and Quality of Protective Services Workers (PSW) Contacts

Problem Definition and Findings

Child welfare is one of the most complex and demanding professions. Conflicting pressures, high caseloads, and ever-changing mandates have made workload a salient concern. While CWS has made strides to reduce caseload sizes, when compared with many other jurisdictions, caseworkers must still perform a multiplicity of functions and balance competing demands. These multiple demands, which include management of crises, placement changes, and court reports, continue to increase in the current environment driven by CCR.

Current efforts undertaken by CWS include the Community-Academic Partnership for Translation Use of Research Evidence (CAPTURE), a federally funded grant through the University of California San Diego (UCSD) focused on methods to ensure research meets the priority needs of the agency, including workforce retention and burnout.

While workload continues to be a concern, it is pertinent that the quality of face-to-face contacts with children, youth, and families is not compromised. Research has established a causal relationship between a capable child welfare workforce and positive case outcomes in areas of placement stability, maltreatment recurrence, reunification, and foster care and permanency outcomes.

Recommendations:

- Consult with outside experts, such as the National Council on Crime and Delinquency (NCCD), National Child Welfare Workforce Institute (NCWWI), and Kempe Center, to conduct a workload analysis and determine best practices to achieve optimal caseloads and staffing levels.
- Explore state and national best practices pertaining to policy changes such as the number and quality of social worker visits with families; determine if procedural changes could improve safety and reduce risk for children in open CWS voluntary and dependency cases.
- Follow the Structured Decision Making (SDM) contact guidelines to increase monthly visits for families at higher levels of risk.
- Assess the quality of face-to-face contacts and home visits using the best practices established and resources created by the Capacity Building Center for States' *Quality Matters: Improving Caseworker Contacts with Children, Youth, and Families* initiative.
- Strengthen CWS policies to ensure face-to-face contacts with children, youth, and families reflect best practices.

Expected Outcome:

- Reduced workload for PSWs along with other types of agency supports to streamline functions is likely to increase staff retention and the likelihood of case management practice that supports improved outcomes

3. Capacity to Operate Within a Trauma-informed Lens

Problem Definition and Findings

Research on trauma and resilience has greatly influenced child welfare practice. It is now widely accepted that the child welfare outcomes of safety, permanency, and well-being are positively impacted when a child welfare system is trauma-informed. The County of San Diego's CWS has long recognized the need to fully embrace a trauma-informed perspective by infusing and sustaining trauma awareness, knowledge, and skills into their organizational cultures, practices, and policies. This is demonstrated by the adoption of the Safety Enhanced Together (SET) framework as well as Safety Organized Practice (SOP), both of which are rooted in trauma-informed values.

Additional efforts to become a trauma-informed system include participation in the *Child Welfare Trauma Training Toolkit (CWTTT)* 3rd edition pilot, availability of full-time coaches in each region and a unit to support SOP implementation, and ongoing case reviews to ensure adherence to SOP model fidelity.

While the concepts of trauma-informed care are broadly understood, the translation into day-to-day practice is limited. It is not clear as to the degree to which trauma-informed approaches have been operationalized across the agency and the impact of past and present initiatives on the decision making of PSWs and their supervisors. Furthermore, the most recent System Improvement Plan (SIP) indicates a 3.1% increase in placement instability. While there are many factors that contribute to placement changes, there is a likelihood that these disruptions result in additional traumatic experiences for children and youth.

Recommendations:

- Conduct a thorough analysis that includes a review of PSW and supervisor competencies that correlate with trauma-informed practices. First, review of the most updated findings of neurobiology and neurodevelopment and the impacts of trauma could be done. Then an analysis of whether those have been integrated into training, supervision, and coaching would be the next step. Finally, they could explore whether some practice improvements and supports can be directed to focus on improving placement stability.
- Evaluate the operationalization of the SET practice framework across agency culture, practices, and policies.

- Conduct a review of available trauma-focused resources and services in the community to determine areas of need and improvement.
- Engage in cross-training and shared learning opportunities with system partners and providers to increase trauma awareness and improve collaboration.

Expected Outcomes:

- Mitigation of the impacts of traumatic stress on children and families
- Improved placement stability due to more effective operationalization of trauma-informed practices
- Increased access to needed therapeutic resources and services

4. Enhance Caseworker Onboarding, Training, and Continuing Education

Problem Definition and Findings

For a child welfare agency to achieve its mission, it must attract, develop, and retain a skilled and ready workforce. As such, both classroom and field training are critical to promote effective practice, increase worker confidence, and achieve optimal outcomes. Research indicates that child welfare practitioners require two years of on-the-job training and experience to gain confidence in their work. It also demonstrates that retention improves once child welfare workers reach the 3-year mark. A “too stressed too soon” culture inhibits transfer of learning and results in higher rates of turnover.

Current training of new hires includes 10 weeks of core training followed by simulation and field exercises. Caseworkers and supervisors are required to complete 20 hours of annual continuing education on topics of their choosing.

Recommendations:

- Create consistency of new hire caseloads throughout regions and ensure caseloads are increasingly complex, commensurate with the knowledge, skills, and abilities of the individual worker.
- Establish designated training units in each region comprised of a supervisor and a senior-level worker to coordinate learning opportunities (e.g., coaching, simulation training, field exercises, shadowing, etc.,).
- Establish a designated training facility to improve ease of access to in-person training and continuing education opportunities.
- Increase the amount of field experience for new hires through observation and shadowing of senior-level workers.

- Require senior staff (e.g., supervisors and managers) to attend annual advanced simulation training aimed at improving quality and reflective supervision skills. This training should be followed by field training and/or coaching to increase transfer of learning.
- Establish stronger guidelines for continuing education that address individual areas of need and improvement for caseworkers and supervisors.
- Increase caseworker training on assessing for safety across all regions and units.
- Explore peer support and mentorship models to create internal support systems and enhance caseworker and supervisor skills and abilities.

Expected Outcomes:

- Reduced caseworker turnover
- Increase caseworker employee job satisfaction
- More tailored education and support for supervisors and managers
- Increased workforce cohesion

Focus Area IV: Legal and Policy Barriers

Key Recommendations

- 1. Child's Right to be Present at Court Proceedings:** Make the voice of dependent children a central focus of Juvenile Court proceedings.
- 2. Investigations of Maltreatment of Children While in Care:** Create an independent, specialized unit to investigate allegations of maltreatment of dependent children and to notify the child's support system of the allegations to ensure the child is adequately supported.
- 3. Caregiver Information Forms and FFA Reports Included in Juvenile Court Proceedings:** Disseminate caregiver information forms and FFA reports to judicial officers, parents, and attorneys to promote well-informed decisions being made on behalf of children.
- 4. Notice of Change of Child's Placement:** Provide notice to counsel and parties prior to moving children in foster care.
- 5. Placement of Sibling Sets Together:** Give deference to sibling sets at all levels of placement decisions and continue efforts to reunite the siblings if they have been separated.
- 6. Evaluation of a Child's School Placement During Child Family Team Meetings:** Standardize a protocol for educational right holders to determine whether to move a child's school.
- 7. Authorization and Consent to Treat Children Detained at Polinsky Children's Center:** Collaborate with medical staff at Polinsky Children's Center and the Juvenile Court to update current medical authorization and consent-to-treat protocol to efficiently obtain judicial consent to treat children detained at Polinsky Children's Center.
- 8. Electronic interface with Juvenile Court:** Develop an electronic interface with the Juvenile Court to obtain judicial approval and efficiently process Protective Custody Warrants and Investigative Search Warrants.

Key Recommendations in Detail

1. Child's Right to be Present at Court Proceedings

Problem Definition and Findings

Children entering the juvenile dependency system feel vulnerable and uncertain of their future. They don't know where they will live, when they may next see their parents/siblings/friends, or where they will go to school. They are entitled to have a central voice in these decisions that will impact and define their lives.

Youth participation in court proceedings is an important aspect of child-focused, family-centered practice. San Diego's juvenile dependency and child welfare system must embrace the importance of including children and youth in court and provide them the ability to actively participate in and observe their own dependency proceedings. In addition to meaningful representation by their court-appointed attorneys and court-appointed special advocates, children should be afforded the ability to directly participate in their court hearings. This includes their right to address the court directly.

The *National Council of Juvenile and Family Court Judge's (NCJFCJ) Key Principles for Permanency Planning* state that children of all ages should be brought to court, unless the judge decides it is not safe or appropriate. In California, children over the age of 10 have the statutory right to be noticed of their right to attend. Despite the children's statutory right to notice and an opportunity to be heard in court, the Working Group has found that in the County of San Diego children are not routinely brought to court. All stakeholders, starting with CWS, need to adjust their culture and practices to encourage and assist children in accessing the courts and exercising their right to be heard.

Recommendations:

- Immediately take steps to ensure that children are readily able to attend in their own court hearings:
 - Social workers shall invite children to every court hearing and make arrangements for the child(ren) to attend.
 - CWS shall remove current barriers that restrict a youth's ability participate in proceeding, by coordinating with dependency court partners and the County:
 - Create a supervised and private space for youth to wait for court hearings in each courthouse.
 - Provide transportation and logistical support that enables children to get to court.

- Provide further training on trauma-informed practices to all staff within the courtrooms.
- Adopt flexible practices such as staggered court calendar times that allow for transportation to hearings when needed.

Expected Outcomes:

- The judge and all court participants will be better informed about the safety and well-being of the child by having the child physically present in court
- The judge can only benefit from the child’s direct input about the progress of the case and the appropriateness and efficacy of the child’s services and case plan
- The presence of all parties, including the child, will prevent needless court continuance requests and minimize hearing delays which result in children remaining in out-of-home care for longer periods of time

2. Investigations of Maltreatment of Children While In Care

Problem Definition and Findings

Each year, nearly a thousand children enter San Diego County’s foster care system due to abuse and neglect of their birth families. When entering out-of-home care, these children leave the only family they know and are placed with relatives or in foster homes to protect them from suffering further harm. The County is then responsible for ensuring the safety and well-being of these children while in the care of the County.

When a child reports maltreatment or being harmed while in the care of the County, an independent investigation, driven by the child’s voice, is essential to ensure the child safety. Continued and enhanced training for both investigating social workers and managers is needed. When child safety is at stake, a reliable determination needs to be reached in every case.

Recommendations:

- Create a special Emergency Response Unit to investigate reports of maltreatment while in care. This unit would be independent of regional case carrying social workers, have specialized training in interviewing children, and conduct independent investigations of hotline referrals when those referrals pertain to dependent children. The unit would:
 - Seek information from all relevant sources, including agencies or individuals who may have knowledge of the alleged incident.
 - Conduct in-depth, private conversations with the youth.

- Have responsibility for communicating with professionals in the youth's support system, such as the child's attorney, the parent and their attorney, and any court-appointed special advocate, so that those parties are on notice of the allegations and can advise and/or help support the youth.
- Have close and on-going supervisory review of investigations and findings, including a quality assurance audit of unsubstantiated findings.
- CWS to conduct quarterly audits of 'unfounded' findings to ensure that sufficient investigations are being conducted and to identify any training needs of this unit's workers.

Expected Outcomes:

- By ensuring that an experienced, specially trained interviewer is speaking with and listening to the dependent child, the child's concerns and reports of maltreatment can better be heard
- By alerting a greater number of adults in a child's support system to the allegations of maltreatment, CWS will provide the child a greater opportunity to voice their concerns to a supportive adult and have concerns investigated promptly

3. Caregiver Information Forms and Foster Family Agency Report included in Juvenile Court proceedings

Problem Definition and Findings

In the County of San Diego, very little information from the child's caretaker, who may be in the best position to provide detailed and accurate information, comes directly to the Juvenile Court, parties and counsel. The Judicial Council has approved a form (Caregiver Information Form; JV-290) that the caregiver may fill-out and provide to the Court. The law currently directs the CWS Social Worker to provide this form to the Caregiver 10 days before the Juvenile Court hearing along with instructions as to how to file it with the court. *(See California Rules of Court, Rule 5.534 (j); WIC 366.21(c))* The purpose of the form is to provide caregivers access to the courts and to promote caregiver participation and input in court. However, most caregivers are unaware that the form exists, that they may attend the child's hearing and that they may address the court. *(See Comments of the Judicial Council Advisory Committee.)*

Children who are placed within a home of a FFA are served by the FFA's social work staff in addition to the County social worker. In fact, children placed within an FFA are generally visited and evaluated by their FFA social work staff on a more frequent basis than by the County workers. The FFA social workers have achieved Masters in Social Work or are Licensed Clinical Social Workers. Currently, FFAs provide detailed reports on their children on a quarterly basis directly to the County social worker.

Unfortunately, the detailed amount of information provided in these FFA reports rarely reach the Court or the parties in the child's case.

Recommendations:

- CWS to develop a protocol that adheres to California Rule of Court, Rule 5.534(c) in both letter and spirit:
 - Ensure that the form is provided in a timely manner with appropriate instructions.
 - Inform each child's caregiver of their right to be present and to address the Court.
- Attach the most recent FFA report to the court report if a child is placed in a home within a FFA. (*WIC 366.21(d)*).

Expected Outcomes:

- More information to judicial officers and court participants
- Greater collaboration amongst the key figures in the child's case and life
- Well-informed decisions can be made in the best interest of the child

4. Notice of Change of Child's Placement

Problem Definition and Findings

When a child is removed from the custody of a parent and needs to be placed in out-of-home care, CWS makes arrangements to find an appropriate home. In the County of San Diego, children may be detained up to 10 days in the temporary shelter of Polinsky Children's Center pending placement in a suitable, available home. In addition to the initial placement, circumstances can arise later in a case which require a dependent child to be moved to another home.

Existing law provides rights to children in care when placement changes become necessary to ensure that the child can participate in the decision-making process to minimize the risk of the move negatively impacting their well-being or sense of security. When a change of placement is needed, the law requires the social worker to provide notice to multiple adults in that child's life to ensure that the move is in fact necessary and the transition can be successful (as described in *Welfare and Institutions Code 16010.6 and 16010.7(e)*). When a placement change is imminent, notice to minor's attorney, parents, caregivers, and the court is required so that the child's rights, interests, and voice can be considered through input from all court participants prior to the change. Notice to minor's attorney is critical so that the

attorney can advise the child client, comply with their own investigatory obligations under *WIC 317*, and seek court intervention on behalf of the client, when necessary.

In the County of San Diego, CWS has a policy that outlines when and how notice of moves should be reported to minors' attorneys, parents' attorneys, and the court. This Working Group has found that the policy, and the laws upon which it is based, are not consistently followed in every day practice.

Recommendations:

- CWS to add practice steps regarding providing notice to parties/counsel of placement changes in the CWS training curriculum so that social workers are aware of the required procedures.
- CWS to monitor social worker regional compliance with the notice provisions as required by the Welfare and Institutions Code, including but not limited to *WIC 16010.6 and 16010.7*.
- CWS to monitor compliance with its own CWS Change of Placement policies.

Expected Outcomes:

- Minor's attorney is notified of their client's location and any impending moves in the timeliest manner possible
- Safeguarding children's rights, safety and well-being
- Prevention of children in foster care experiencing unnecessary or abrupt placement changes that negatively impact their well-being or sense of security

5. Placement of Sibling Sets Together

Problem Definition and Findings

In the County of San Diego, when children are removed from their home due to parental abuse and neglect, siblings too often are further traumatized by subsequently being separated from one another by Child Welfare Services when placed in out-of-home care. Currently, more than 40% of children with siblings are not placed with all their other siblings. In fact, nearly 25% of these children are not placed with any siblings at all (County of San Diego CWS data as of 9/16/2018).

The *Fostering Connections to Success and Increasing Adoptions Act* requires that agencies make reasonable efforts to place siblings removed from their home in the same foster care, adoptive, or guardianship placement, or to facilitate visitation or ongoing contacts with those that cannot be placed together, unless it is contrary to the safety or well-being of any of the siblings to do so.

Under California law, when a child is taken into protective custody, the social worker “shall to the extent that is practical and appropriate, place the minor together with any siblings or half-siblings who are also detained” or include in their detention report the “continuing efforts to place the siblings together,” or include in the report a statement of their continuing efforts to place the siblings together or why those efforts are not appropriate.

Welfare and Institutions Code § 306.5 and WIC 16002 state:

it is the intent of the Legislature to maintain the continuity of the family unit, and ensure the preservation and strengthening of the child’s family ties by ensuring that when siblings have been removed from their home, either as a group on one occurrence or individually on separate occurrences, the siblings will be placed together, unless it has been determined that placement together is contrary to the safety or well-being of any sibling.

Recommendations:

- Make targeted efforts to recruit foster families that can accommodate sibling sets.
- Attempt to keep homes that can accept multiple children free until they can be filled by sibling sets, rather than placing multiple individual children in those homes.
- Keep sibling sets at Polinsky Children’s Center longer than 10 days, if necessary, in order to facilitate sibling sets being placed together.
- Do not break up a sibling set simply because a placement becomes available for one sibling before a placement can be found that can accommodate the entire set.
- Submit a written report, if necessary, to the California Department of Social Services explaining the reasons for the overstay, as provided for in *Welfare and Institutions Code Section 11462.022(f)(1)*.
- Continue efforts to place siblings who have been placed in different locations together in a location that can take them all and report to the court monthly via Ex Parte reports: 1) what continued efforts have been made to place the siblings together and 2) what visitation between siblings has been facilitated.
- Ask Child Welfare policy experts to review the Policy Manual and include directives to case-carrying social workers of the requirements of *WIC 16002 and WIC 306.5* as needed in policies related to placement and visitation.
- Make a referral to the Promises 2 Kids Camp Connect program to ensure quality visitation for the children if there is no option other than to split up a sibling set.

Expected Outcomes:

- Reduction of unnecessary further trauma to children entering foster care

- Children will retain meaningful contact with siblings during the length of the dependency proceedings
- More siblings will reside together in permanent homes at the conclusion of the case and, therefore, be in each other's lives permanently.

6. Evaluation of a Child's School Placement during Child Family Team Meetings

Problem Definition and Findings

When children enter the foster system or later move placements, they often face the need to change where they go to school. Studies have shown that frequent school changes have profoundly negative impacts on a foster child's education. School may be one of the only places where youth in care have continuity and stability. Being removed from their school of origin frequently causes instability, interruptions, and delay in a child's education.

The federal *Every Student Succeeds Act* and *California Rules of Court* seek to address this issue by requiring the court to consider specific factors, including input from the educational rights holder, when determining whether a proposed placement change is in the child's best interests (*Rule 5.651(f)*). The Rules also require the court to ensure that the social worker notify all appropriate parties of any change in placement within 24 hours of a decision to remove a child from their school of origin. If the child has a disability and Individual Education Plan (IEP), notice must be provided at least 10 days prior to the child's move (*Rule 5.651(e)(1)*). Within two days of the filing, the educational liaison must provide a report stating the reason for the proposed change and how it serves the best interests of the child. These Rules, if followed, would help minimize disruptive transfers.

The discussions regarding school of origin and school moves for children entering foster care or changing placements in foster care are made during Child and Family Team (CFT) meetings, facilitated by CWS. Frequently, there is little information about the factors that were considered by the CFT provided to the court, parties, and counsel.

Recommendations:

- Standardize the use of the *Foster Youth Services Coordinating Program's Best Interest in School of Origin Decisions: A Checklist for Decision Making* (Attachment A) throughout CWS in CFT meetings to ensure there is a consistent, meaningful analysis and focus on school stability, school of origin, and school success for every student in foster care.

- Include the checklist analysis in the CFT report that is provided to the court, parties, and counsel.
- Ensure that there is a specific, written expectation in all relevant CWS policies that foster students receive the benefit of the statutory legal preference that they remain in their school of origin, with transportation provided.
- Train educational rights holders regarding the rights that children must stay in their school of origin and how critical school stability is to successful educational outcomes.

Expected Outcomes:

- Well-informed decisions will be made through dissemination of information to the Court, parties, and counsel and any necessary interventions will be identified to help improve academic outcomes
- Greater school stability and success for San Diego’s children

7. Authorization and Consent to Treat Children Detained at Polinsky Children’s Center

Problem Definition and Findings

Polinsky Children’s Center (PCC) has pediatricians and medical staff on site to complete a child’s initial physical examination upon entry into PCC. Pediatricians are also on site and on call to treat a child’s acute illnesses.

Case Law requires parental authorization and presence prior to examination and/or treatment of children in CWS custody and detained at PCC. A Juvenile Court order can provide consent to examine or treat a child in CWS custody absent parental consent. (*Mann v. County of San Diego [HHSA and Polinsky Children’s Center], Nos. 16-56657, 16-56740, 2018 WL 5623367, 2018 DJDAR 10553. (filed 10-31-18) by the U.S. Court of Appeals, Ninth Circuit.*)

The Working Group has concerns about the current CWS protocol to obtain consent to treat children detained at PCC. Medical staff at PCC report greater than 72-hour delays in examination and treatment for children detained at PCC pending parental consent to treat. Medical staff also report delay in examination despite Juvenile Court ordered consent to treat children detained at PCC.

Delay in completing a child’s initial physical examination can result in lost documentation of a child’s symptomology and/or evidence of abuse or neglect. Delay impacts the PCC medical staff’s ability to order needed medication, dental care, eye care, or follow-up care for children detained at PCC.

Children detained at PCC who present with acute illness upon entry into PCC or while detained at PCC cannot be treated without parental consent or Juvenile Court order authorizing treatment. Medical staff at PCC report needing to refer children with acute illness to the hospital emergency department for care that could have been performed on site at PCC because the children lack parental consent to treat or a Juvenile Court order authorizing treatment.

Recommendation:

- Collaborate with PCC medical staff and the Juvenile Court to develop an updated joint protocol to obtain parent consent or Juvenile Court order to timely examine and treat children entered and detained at PCC.

Expected Outcomes:

- Timely initial examinations will accurately document a child's symptomology and evidence of abuse and neglect
- Immediate on-site medical treatment for children presenting with acute illnesses
- Negate additional trauma to children forced to go to the emergency room to get medical care
- Determine what initial treatment may be appropriate for any given child
- Accurate documentation of child's symptomology and any evidence of abuse or neglect

8. Electronic Interface with the Juvenile Court

Problem Definition and Findings

During a child welfare investigation, absent parental consent or exigent circumstances, the law requires CWS to obtain a protective custody warrant to remove a child, an investigative search warrant to enter a child's home, and an investigative warrant to interview a child at school or to have a child undergo a medical examination to determine if child abuse or neglect has occurred. In many cases, either parental consent is given, or exigent circumstances exist. However, in those circumstances where parental consent is not obtained, and exigency does not exist, CWS must develop practices and procedures to obtain warrants in child welfare investigations.

In 2017, CWS developed updated practices and procedures to obtain judicial review and approval of warrants in the circumstances described above. The procedures require the investigating social worker or social worker supervisor to hand deliver to the Juvenile Court for judicial review and signature said warrants. The process is time consuming and inefficient. The process is limited to court business hours.

Recommendations:

- Develop a computer interface with the Juvenile Court to allow judicial officers to electronically review and approve protective custody warrants and investigative warrants.
- Consult with other County investigative agencies that currently have an electronic interface with the court for judicial review and approval of warrants.

Expected Outcomes:

- The computer interface with the Juvenile Court can provide investigative efficiencies in processing warrant requests to avoid delay for children in need of protection

Focus Area V: Voluntary Services Protocol

Key Recommendations

1. **Committee Approach to Voluntary Services:** Convene a committee which includes HHSA staff beyond the social worker and supervisor to make better informed and constructive recommendations concerning the provision of voluntary services in each and every case.
2. **Independent Voluntary Services Unit:** Create a new Voluntary Services Unit within CWS so that assigned social workers can dedicate themselves to servicing Voluntary families.
3. **Social Workers Engagement with Families Voluntary Services:** Train social workers specifically on how to engage families in the voluntary services process. Families should be motivated by a desire for change rather than the fear of losing their children.
4. **More Structured Voluntary Services Policy and Protocol:** Create a new, more structured and supervised voluntary services policy and protocol.

Key Recommendations in Detail

1. Committee Approach to Voluntary Services

Problem Definition & Findings

Voluntary Services are the provision of noncourt, CWS supervised, protective services to families whose children may be in danger of abuse or neglect. There are more families receiving voluntary services in the County than receiving services through a court-ordered plan. In fiscal year 2016-2017, 1,525 children had Voluntary Service agreements whereas only 1,088 new petitions were filed in court. While this certainly can be seen as a positive development given the trauma and poor outcomes that children may experience when they are removed from their homes and enter foster care, the Working Group remains concerned about the degree of oversight and the quality of case work and other supports that are offered to voluntary families.

The Working Group is particularly concerned that too many families screened as high or very high risk are offered Voluntary Service plans which, even when demonstrably ineffective, are not promoted to court cases. The result is that children can be exposed to abuse and neglect for longer periods of time and thus, experience more trauma. CWS can do a better job in determining which families would benefit from voluntary services and which families would be both better served and protected, receiving court-ordered services.

Recommendations:

- Require that CWS use a committee approach to determine which families would benefit from voluntary services. Currently, the decision is made between line worker, the Supervisor, and the family. A committee consisting of the presenting Social Worker, Social Work Supervisor, Manager, Continuous Quality Improvement (CQI), embedded County Counsel, education liaison from the County Office of Education, Pathways representative, Behavioral Health Services representative, any other available supervisors, interns, and CSEC liaison or probation officer, as appropriate, should be convened to determine, as a group, whether the family in question would benefit from Voluntary Services or a more formal, court-supervised, structure. The committee should reconvene during the life of the voluntary agreement as significant developments occur (e.g. new referrals on the subject family) to continue to assess the appropriateness of voluntary services for the family in question.
- CWS to track (via The Child and Adolescent Needs and Strengths [CANS] assessment tool) and assess the overall impact to children's well-being by examining initial scores in relation to follow-up scores of the children over time.

Expected Outcomes:

- Families will receive the level of services and structure that correspond to their need
- Child safety will be greatly enhanced resulting in better outcomes for both voluntary and court-supervised families

2. Independent Voluntary Services Unit

Problem Definition & Findings

The profiles and needs of the children and families that are eligible for voluntary services are similar to those that come under the supervision of Juvenile Court. However, the degree of engagement and oversight by CWS on voluntary service cases is perceived to be less than that provided to families receiving court-ordered services. Currently voluntary service cases are staffed by PSWs that carry both voluntary and court cases. Because court cases are formally supervised, they are necessarily prioritized by the PSW, leaving voluntary service families to be serviced as time permits.

Recommendation:

- Create a new Voluntary Services Unit within CWS so that assigned social workers can dedicate themselves to adequately servicing voluntary families.

Expected Outcomes:

- More positive outcomes for at-risk children and families in San Diego County
- Voluntary cases more closely monitored
- More attention paid to needed voluntary services
- Better model fidelity by case workers

3. Social Worker Engagement with Families in the Voluntary Services Process

Problem Definition & Findings

The Working Group is concerned about the perception of coercion when it comes to voluntary service plans. A social worker should never seek to intimidate or threaten a family with the removal of their children to incentivize them into entering into a Voluntary Service plan. Families in crisis are, among other things, experiencing excessive amounts of stress. Therefore, the assigned social worker should make sure that neither their actions nor their words could be interpreted in a threatening manner when discussing the issue of voluntary services.

Recommendations:

- Ensure that every family contracting with CWS be informed of their rights so that any family entering into a Voluntary Services agreement does so knowingly and intelligently.
- Develop a formal CWS protocol that ensures families are not coerced when they are offered voluntary services.
- The County should also explore the provision of court-appointed legal services to children as well as parents who are being diverted to the Probate Court.

Expected Outcomes:

- That families who truly want to engage in Voluntary Services be given every opportunity to succeed without the additional stress of being fearful of their children being taken away

4. Voluntary Services Policy and Protocol

Problem Definition and Findings

The Working Group believes that current Voluntary Services protocol could be structured to better service families and better protect children.

Recommendation:

- Adopt the below detailed Proposed Voluntary Services Agreement Protocol.

Expected Outcomes:

- Families offered Voluntary Services will have access to case management, oversight, and community resources consistent with their needs
- Enhanced child and family well-being
- Reduction in the amount of families who repeat voluntary and court-ordered services
- Children, families, and CWS staff will all benefit from a more structured protocol. Children will be safer. Expectations for both families and CWS will be clearer

Proposed Voluntary Services Agreement Protocol

Voluntary Services (VS) is the provision of noncourt-supervised, time-limited protective services to families whose children are in potential danger of abuse, neglect, or exploitation when the child can safely remain in the home and the family is willing to accept services and engage in corrective action. The parent/guardian must not be coerced into agreeing to VS by threats of removing their child(ren) from the home.

Voluntary Services Criteria:

VS services may be provided to a family only when all the following criteria are met:

- The child(ren) must be able to safely remain in their own home.
- The presenting problems must be amenable to resolution within the time frame available for family maintenance services.
- The family has not had a substantiated allegation of a similar nature in the past two years.
- The parent(s)/guardian(s) who reside in the home, and/or are part of the case plan, must:
 - Be willing to accept the case plan for VS services

- Acknowledge the identified problem and agree to take corrective action
- Be willing to maintain contact with the Department
- Be available for unannounced and/or scheduled home calls
- Sign releases of information for all relevant collateral contacts
- California Law Enforcement Telecommunication System (CLETS) and Child Abuse Central Index (CACI) obtained for all adult members of the household contain no convictions or allegations of a serious enough nature to compromise the child(ren)'s safety in the home.

In addition to the above criteria, the following additional conditions are required for the type of referral investigated.

Type of Referral Allegation: Sexual Abuse

- The perpetrator must be out of the home. The victim must indicate that they feel safe remaining in the home.
- The nonoffending parent must believe the victim, be willing to obtain counseling for the child(ren) and be willing to attend counseling for themselves.
- The abuse must not constitute severe sexual abuse, as defined by law.
- Manager approval must be obtained in all sexual abuse cases.
- There must be no previous substantiated reports for the same allegations.

Type of Referral Allegation: Physical Abuse

- The physical abuse must be nonsevere in nature and comprised of no more than minor injuries.
- The victim must:
 - Have regular contact with an outside entity that is a mandated reporter.
 - Indicate they feel safe remaining in the home.
 - There must be no previous substantiated reports for the same allegations.

Type of Referral Allegation: Domestic Violence

- The perpetrator must be out of the home.
- The perpetrator and victim must agree to comply with any existing or subsequent restraining order.
- The victim and child(ren) must indicate they feel safe remaining in the home or in a domestic violence shelter.

- There must be no previous substantiated reports for the same allegation

Type of Referral Allegation: Infant has a Positive Toxicology for Drugs/Fetal Alcohol Syndrome

- All siblings in the home must be well cared for.
- There must be an outside support system (e.g., Family Preservation, a drug program) willing to assist and agree to contact the Department in case of noncompliance with conditions of the VS plan.
- The offending parent must be willing to participate in drug/alcohol testing and rehabilitation. The non-offending parent must be willing to participate in supportive services/counseling to address substance abuse issues.
- There must be no previous substantiated reports for the same allegations.

VS Cases Requiring Higher Approval:

- Prior to providing VS to families that fall within the categories below, PSWs should obtain Manager approval when:
 - The child or a sibling of the child had been previously adjudicated a dependent pursuant to any subdivision of Section 300 as a result of physical or sexual abuse and following that adjudication the child had been removed again from the custody of their parent or guardian, due to additional physical or sexual abuse. The subsequent removal need not be from the same parent as the initial removal.
 - The court-ordered termination of reunification services or parental rights for any siblings or half-siblings of the child and the parent or guardian has not subsequently made a reasonable effort to treat the problems that led to removal of the sibling or half-sibling of that child from that parent or guardian.
 - The parent or guardian of the child has a history of extensive, abusive, and chronic use of drugs or alcohol and has resisted prior court-ordered treatment for this problem during a three-year period immediately prior to the current allegations.
 - Family Maintenance services have been provided to the parent(s) or guardian(s) on either a voluntary basis or under court supervision in the preceding five (5) years for the same or similar allegations.
 - If a referral falls within any of the above categories, then Manager approval is needed to pursue a VS case. The Manager must sign the case plan, and the PSW must document both the Manager approval and the rationale for the VS plan.

VS Services are never appropriate where:

- The parent or guardian is suffering from a mental disability that, even with supportive services, renders him or her incapable of utilizing VS services.
- The parent or guardian of the child has caused the death of another child through abuse or neglect.
- There has been a substantiated allegation of severe sexual abuse to the child/sibling/half-sibling by the parent or guardian, the infliction of severe physical harm to the child/sibling/half-sibling by the parent or guardian, or a substantiated allegation of severe physical abuse by the parent/guardian of a child under the age of five.
- There has previously been a denial of Family Reunification (FR) services in court due to severe sexual abuse or severe physical abuse by the parent/guardian.
- The parent or guardian of the child has been convicted of a violent felony
- The parent or guardian of the child is required by a court to register (or is already registered) on a sex offender registry.
- The parent or guardian has willfully abducted the child or child's sibling or half-sibling from their placement on one or more occasions.

CWS contacts with the VS family:

- The PSW shall have contact with both the minor(s) that are the subject of the VS and the parent(s) twice a month for the first three months of VS services and once a month for the three months thereafter.

Focus Area VI: Resource Family Approval Process

Key Recommendations

- 1. Enhance Resource Family Expectations:** Develop, clarify, and implement additional expectations that resource families must abide by while caring for a child in their home.
- 2. Resource Family Approval:** CWS is not adequately staffed to conduct RFAs at the volume needed. CWS must investigate how best to leverage existing staff and/or seek funding for additional staff while also considering partnerships with outside organizations.
- 3. Resource Family Support and Retention:** The support and guidance provided to resource families has a direct influence on the overall quality of care children receive. Establish a CWS unit to provide same day/after hours (24 hours a day/7 day a week) support to resource families.
- 4. Resource Family Recruitment:** The foster care system in San Diego County does not possess enough approved resources families, in the right geographic location, with the right experience and skill set to serve all the children in need. CWS must develop a comprehensive and unified approach for the recruitment of resource families that includes collaboration and partnership with the Probation Department, Foster Family Agencies, and the philanthropic community.
- 5. Use of Technology:** Leverage both internal and external technology resources to streamline the RFA process.

Key Recommendations in Detail

1. Enhance Resource Family Expectations

Problem Definition and Findings

On January 1, 2017, CCR was implemented and the RFA process established a common application, training, and approval framework for all potential caregivers (relative and nonrelative) to follow. Furthermore, once a caregiver is approved as resource family, this approval is considered portable and will be accepted by all other counties and foster family agencies in the State of California.

Recommendations:

- Establish from first contact and throughout the RFA+ process, the expectation that caregivers are expected to care for the children placed in their homes until permanency for the children has been determined.

- Develop a responsive system of training for resource families that identifies, prepares, and delivers ongoing trauma-informed training at the time needed in relation to the development of the children in their care.

Expected Outcomes:

- Increased stability of placement for children in care
- Increased quality of care provided
- Increased caregiver satisfaction/retention

2. Resource Family Approval

Problem Definition and Findings

The process of RFA is an extremely labor- and paperwork-intensive process. Each resource family evaluation for approval contains a thorough background and criminal records check evaluation, a home environment assessment, completion of required training, and documents supporting their application plus a written family evaluation similar in scope and depth to an adoption home study. The written family evaluation report is required even if the family is not considering adoption.

Recommendations:

- Obtain approval for additional funding to increase staff.
- Determine a process for the sharing of an RFA applicant's progress towards approval with all stakeholders to include CWS departments, Minor's/Parent's Counsel, the Foster Family Agency who has placement of the child, and the Juvenile Court.
- Investigate /develop the ability to use community partners to complete, or transfer a resource family applicant to, for approval.
- Investigate the use of a psychological evaluation tool to improve the speed and quality of the written family evaluation.
- Develop a process to determine which relative family member to select for the RFA approval process when multiple relatives have been identified and express interest in caring for the child(ren).

Expected Outcomes:

- Improved speed and number of applicants processed for approval
- More highly qualified, nurturing families
- Greater individualized attention for traumatized children

3. Resource Family Support and Retention

Problem Definition and Findings

Caring for a child(ren) in foster care is not easy. Relatives and nonrelative caregivers face a multitude of daily challenges imposed by the system of foster care in addition to the challenges they may face due to the emotional, cognitive, and physical development of the child(ren) in their care. The ability to access support when needed is key to a caregiver's ability to continue providing a stable, safe, and loving home environment.

CWS implemented the Quality Parenting Initiative (QPI) established by the Youth Law Center (www.ylc.org). QPI is an approach to strengthening foster care where caregivers and child welfare system work in partnership to provide trauma-informed, loving, committed, and skilled care to fulfill children's needs.

Recommendations:

- Establish a CWS unit focused on providing same day/after hours (24/7) responsive support to caregivers.
- Continue to conduct an annual caregiver satisfaction survey, sharing results with stakeholders.

Expected Outcomes:

- Improved quality of care to children
- Improved caregiver satisfaction and retention

4. Resource Family Recruitment.

Problem Definition and Findings

The system of foster care faces a shortage of caregivers (relative and nonrelative). Many members of the San Diego community are not aware of the need for more caregivers (families) let alone what it is like to serve as a parent or relative who fosters a child(ren). The challenge faced is more than just having enough caregivers but having them with the right training and experience, located near the child in care and available when needed.

Recruitment and advertising efforts by the County (CWS and Probation) and foster family agencies (FFAs) are widely varied and for the most part not coordinated. In addition, current outreach and advertising efforts are broad based and not targeted on the specialized needs of children in care, geographic location of the home, or desired demographics of the prospective resource family.

Recommendations:

- Develop a comprehensive and unified approach for the recruitment of resource families in partnership with Probation, the philanthropic community, and FFAs. To include data and demographic analysis to conduct targeted campaigns specific to geographic location, skill, and experience.
- Leverage the internet and social media channels to connect, inform, and recruit potential resource families.
- Consolidate the three different web pages currently used by the County for resource family information sharing and recruitment.

Expected Outcomes:

- Increased awareness of the need for more resource families and what it is like to serve as a family who fosters
- Increase the number of approved resource families
- Increased ability to place only one child or sibling set with a family based on a best match instead of what's available

5. Use of Technology

Problem Definition and Findings

RFA is an intensive paperwork process requiring applicants to fill out multiple forms with similar information with many requiring a signature. Additionally, applicants must submit a variety of supporting documents (e.g., evidence of insurance coverage, driver's license, character references, etc.) as part of the application process.

RFA applicant status is tracked manually making it difficult to share updates in real time. The State of California is in the process of updating the CWS Case Management System, called CWS-CARES (California Automated Response & Engagement System), to address the need for an automated/online RFA applicant management solution. The availability of the applicant management solution is at a minimum several years away and the California Department of Social Services (CDSS) via an All County Letter (ACL) strongly discouraged counties from developing their own or purchasing a commercially available solution. Currently over 30 counties, including some of those adjacent to San Diego (e.g., Orange, Riverside and Los Angeles) use a commercially available solution.

Recommendation:

- The County must immediately leverage both internal and external technology resources to adopt/develop an RFA Applicant Management System.

Expected Outcomes:

- Increased number of resource families
- Ability to approve resources families in less time
- Greater management oversight and reporting with respect to where a resource family applicant is at in the approval process
- Improved resource family applicant user experience and satisfaction

CONCLUSION

Throughout this process, the Working Group felt the weight and urgency of its responsibility to the children, youth, and families of the County of San Diego. Personal and professional experiences, as related to us from the people addressing our Group, were moving, sometimes encouraging, but often concerning. The repeated themes were that the child welfare system needs to be transparent, willing to take corrective action when necessary, invest more time and resources into the training of their staff, and requires a change in its culture to focus on its outcomes and impact more than policies and statistics.

To improve the quality of the child welfare services process and the safety and permanency outcomes, there will need to be a true commitment to transformation by the County and collaboration from all system partners. Fundamental changes must be made, and the Working Group's process served as an opportunity to look for solutions together.

The County of San Diego has a moral obligation to do all it can to strengthen and stabilize our families, so they can raise their own children. Adoption of the Working Group's recommendations should be the first step in an ongoing process of strategic planning and reform of CWS. We believe that the implementation of the recommendations outlined in this report will dramatically improve the safety, permanency and well-being of our children, youth, and families.

We recognize that greater resources will need to be allocated to Child Welfare Services so that these recommendations can become a reality in practice. CWS will require more social workers, more support staff, and more funding. It is our hope that the County will invest in true, meaningful reform and that community stakeholders will continue to partner with and support Child Welfare Services' transformation process so that together we can better serve our County's children, youth, and families.

Appendix



BEST INTEREST IN SCHOOL OF ORIGIN DECISIONS: A Checklist for Decision Making

(Adapted from the San Diego County Interagency Agreement for Providing Educational Support to Students in Foster Care And the Texas Homeless Education Office)

Decisions regarding school selection should be made on a case by case basis, giving attention to the circumstances of each student. The following information and checklist may help Child Welfare Services staff and the Educational Rights Holder in discussing the advantages and disadvantages of each option.

BACKGROUND AND LAW:

Studies consistently show that school stability is critical for academic achievement. Therefore, the law allows a youth to remain in their school of origin, if the youth, the person holding educational rights and the school district foster care liaison determine that remaining in the school of origin is in the best interest of the child.

When a child is going to change residences, whether this is due to initial entry into the foster care system or a placement change afterwards, the first key decision is whether or not the child will remain in the same school. The Federal Fostering Connections legislation states that the child's case plan must contain the following assurances:

- The placement takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement.
- The placement agency has coordinated with the person holding the right to make educational decisions for the child and appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement or, if remaining in that school is not in the best interests of the child, assurances by the placement agency and the local educational agency to provide immediate and appropriate enrollment in a new school and to provide all of the child's educational records to the new school. WIC §16501.1(f).

48853.5 (e)(6) The educational liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, may recommend, in accordance with the foster child's best interests, that the foster child's right to attend the school of origin be waived and the foster child be enrolled in a public school that pupils living in the attendance area in which the foster child resides are eligible to attend.

KEY CONSIDERATIONS:

- How long is the placement expected to last and what is the permanent plan?
- How many schools has the child attended this year? The past few years?
- How strong is the child academically?
- Which school does the child prefer? Why?
- Would the timing of a transfer coincide with a logical juncture such as after testing, end of semester, or end of the school year?
- How would the length of commute impact the child?
- Does the youth have any anxieties about the upcoming move or changes in his/her life?
- Are there any safety issues to consider?
- Is the current school in Program Improvement (PI)?
- If so, how are students that are demographically similar to the student performing academically?

Revised 10/3/16



**BEST INTEREST IN SCHOOL OF ORIGIN DECISIONS:
A Checklist for Decision Making**

(Adapted from the San Diego County Interagency Agreement for Providing Educational Support to Students In Foster Care And the Texas Homeless Education Office)

Student Name: _____

Date: _____

Remaining in the Same School (School of Origin) Considerations		Transferring to a New School Considerations	
<input type="checkbox"/>	Continuity of Instruction <i>Student is best served at the same school due to prior history.</i>	<input type="checkbox"/>	Continuity of Instruction <i>Student is best served at a different school due to his or her history/future.</i>
<input type="checkbox"/>	Age and grade placement of the student <i>Maintaining friends and contacts with peers is critical to the student's meaningful school experience and participation. The student has been in this environment for an extended period of time.</i>	<input type="checkbox"/>	Age and grade placement of the student <i>Maintaining friends and contacts with peers is <u>not</u> critical to the student's meaningful school experience and participation. The student has attended the school of origin for only a brief time. The student has destructive or dangerous relationships at their school of origin.</i>
<input type="checkbox"/>	Academic Strength <i>The child's academic performance is weak, and the child would fall further behind if he/she transferred to another school.</i>	<input type="checkbox"/>	Academic Strength <i>The child's academic performance is strong and at grade level and the child would likely recover academically from a school transfer.</i>
<input type="checkbox"/>	Social and emotional state <i>The child is suffering from the effects of mobility, has developed strong ties to the current school, does not want to leave, or involved in school related or extra-curricular activities.</i>	<input type="checkbox"/>	Social and emotional state <i>The child seems to be coping adequately with mobility, does not feel strong ties to the current school, does not mind transferring to another school, or is not involved in school related or extra-curricular activities.</i>
<input type="checkbox"/>	Distance of the commute and its impact on the student's education and/or special needs <i>The advantage of remaining in the school of origin outweighs any potential disadvantages presented by the length of the commute.</i>	<input type="checkbox"/>	Distance of the commute and its impact on the student's education and/or special needs <i>Shorter commute may help the student's concentration, attitude, or readiness for school. The new school can meet all of the necessary educational and special needs of the student.</i>
<input type="checkbox"/>	Personal safety of the student <i>The school of origin has advantages for the safety of the student.</i>	<input type="checkbox"/>	Personal safety of the student <i>The new school has advantages for the safety of the student.</i>
<input type="checkbox"/>	Student's need for special instruction <i>The student's need for special instruction, such as Section 504 or special education and related services, can be met better at the school of origin.</i>	<input type="checkbox"/>	Student's need for special instruction <i>The student's need for special instruction, such as Section 504 or special education and related services, can be met better at the new school.</i>
<input type="checkbox"/>	Length of anticipated stay in a temporary or permanent location <i>The student's current living situation is outside the school of origin attendance area, but his/her living situation or location continues to be uncertain. The student will benefit from the continuity offered by remaining in the school of origin.</i>	<input type="checkbox"/>	Length of anticipated stay in a temporary or permanent location <i>The student's current living situation appears to be stable and unlikely to change suddenly. The student will benefit from developing relationships with school peers who live in his or her community.</i>
<input type="checkbox"/>	Academic Performance Ranking <i>The school is in program improvement, but the student is connected (academically or socially) to the school which outweighs transferring to a new school or higher performing school.</i>	<input type="checkbox"/>	Academic Performance Ranking <i>The school of origin is in Program Improvement and the new potential school will meet the educational needs of the student. The new school can provide more academic support services and greater opportunities than the school of origin.</i>