

Normalcy Taskforce

Update to the Nebraska Children's Commission

September 20, 2016

The Normalcy Taskforce (Taskforce) was created under the umbrella of the Nebraska Children's Commission (Commission) to monitor and make recommendations related to Nebraska's implementation of the Federal Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183 (referred to in this document as the "Strengthening Families Act" or "SFA"). Nebraska's Strengthening Families Act, [LB746 \(2016\)](#), implements the federal SFA and initial stakeholder recommendations. Both the federal and Nebraska Strengthening Families Act represent a culture shift to allow children and youth to grow and thrive in less restrictive, more family-like environments and participate in age and developmentally appropriate activities. This culture shift has already begun and will continue to change as new elements of the act are implemented.

The Taskforce is chaired by Sarah Helvey (Nebraska Appleseed) and interim chair Karen Authier (Nebraska Children's Home Society) and has met twice since its creation. The Taskforce formed the following five subcommittees to create recommendations on priority areas of the Strengthening Families Act: Community and Family Voice, Grievance, Normalcy, Trafficking, and Training. These subcommittees have been highly active since their creation, and over 100 stakeholders have generously donated their time and expertise to these groups.

These five groups have released preliminary recommendations for the Commission's consideration and feedback. The Taskforce will meet once more before submitting a final report pursuant to Neb. Rev. Stat. §43-4218 for the Commission's approval to forward to the Legislature, Department of Health and Human Services, and Governor.

Major Themes

The subcommittees tackled a wide range of different components of the SFA, and several major common themes emerged:

1. Every young person in an out-of-home placement is entitled to normalcy and best efforts to provide normalcy, and youth under the custody or supervision of the State of Nebraska in out-of-home placements have a statutory right to participate in extracurricular, enrichment, cultural, and social activities as per LB746 (2016).
2. System wide culture change is necessary to implement the SFA, starting with the principle that stakeholders who make decisions about and for youth should treat youth as they would want their own children to be treated.
3. All youth, families, and caregivers should be engaged and empowered so that their voices drive the decisions made by stakeholders.
4. Foster care should be an opportunity for youth to build a support system of their families, caregivers, SFA advocates, caseworkers, providers, judges, and Guardians ad Litem. This support system should wrap around youth to provide access to needed services, supports, and information so that all youth can realize their full potential.
5. Increased system coordination and data sharing is necessary to support the implementation of the Strengthening Families Act and better outcomes for children and youth.

Community and Family Voice

Leadership: Jude Dean (Foster Parent) and Mickey Sampson (Bridge to Independence Coordinator and Young Adult Previously in Foster Care)

Subcommittee Scope: Focus on youth and caregivers as authorities with valued opinions; identify key strategies to make sure all voices, including youth, are heard; and promote expectations for normalcy that are higher than the minimum requirement.

Preliminary Areas of Focus:

1. The Subcommittee partnered with Nebraska Appleseed and the Nebraska Children and Families Foundation to release a survey and facilitate focus groups to collect feedback from youth who are currently or were formerly in out-of-home placements on the Youth Bill of Rights. The subcommittee is working to review the results of the survey and create recommendations and a draft Youth Bill of Rights.
2. Create recommendations to increase access to funding for normalcy activities. Funding has been identified as a barrier to increasing youth access to normalcy activities.
3. Plan and partner with state and community organizations to create a listing of services, supports, and normalcy activities available to support families. Availability of services helps keep children in their homes, and return to their homes sooner if removal is necessary.
4. Explore the feasibility of hosting community events to collect input from communities, families and youth, raise awareness and provide supports for youth to achieve normalcy.

Grievance Subcommittee

Leadership: Sarah Forrest (Office of the Inspector General of Child Welfare), and Kim Hawekotte (Foster Care Review Office)

Subcommittee Scope: Create recommendations related to a grievance process for the Strengthening Families Act.

Preliminary Areas of Focus:

1. The focus of the grievance system should be youth complaints related to the Bill of Rights. Youth should be empowered to understand their rights and how to access the grievance system. The grievance system should also address issues related to confidentiality, retribution, and communicating expectations to youth related to the process and time frames.
2. Agencies with grievance processes should collect and share data to create or identify the most effective process, increase transparency, and eliminate duplicative efforts. The group will continue working to create recommendations related to data collection and address confidentiality barriers.
3. The group will explore partnerships with youth advocacy organizations to promote education about youth rights and grievance processes. Potential projects include creating and distributing an online video providing grievance process information.
4. The group will continue to research and collect information about Nebraska's current grievance systems and youth access. More information is needed to understand why youth do not access current grievance processes and to create a system that youth will access.
5. The group is exploring objectives and structures for Nebraska's youth grievance process.

- a. Potential objectives include the individual resolution of youth grievances, or system improvement and oversight through data collection and reporting.
- b. Potential structures include the creation of a new grievance structure or process that will be charged with collecting and resolving youth grievances, or simplifying and increasing access to existing grievance processes, including the potential creation of a centralized navigator position to help youth access and navigate existing grievance systems.

Normalcy Subcommittee

Leadership: Theresa Barron-McKeganey (University of Nebraska – Omaha, Grace Abbot School of Social Work) and Tom McBride (Nebraska Juvenile Justice Association)

Subcommittee Scope: The Subcommittee will establish a framework for normalcy, identify the barriers to normalcy, and identify the rights that all youth have in creating normalcy. The Subcommittee acknowledges that normalcy exists on many levels for youth in different settings.

Preliminary Recommendations

1. Stakeholders who make decisions for children at the individual case level should make every effort to make decisions that enhance and maximize normalcy and avoid placements and circumstances that are inherently not normal.
2. Parents and families should have an opportunity to have a facilitated conference at the beginning of the placement to discuss and come to an agreement about decision making for the child.
3. Normalcy should extend to youth in care in all systems, including but not limited to child welfare, juvenile justice, behavioral and mental health, and developmental disabilities.
4. Normalcy and reasonable prudent parenting decisions should be culturally informed, and recognize the youth's cultural identity, connections, traditions, and definitions of family.
6. Each licensed child caring and child placing agency, as well as licensed group homes, shall be required through licensing regulation to draft and implement a plan to enhance normalcy.
7. Normalcy planning shall be incorporated into the existing planning for youth that already occurs.
8. Agencies contracting with service providers or having a voucher relationship with service providers should require the service providers to follow and respect youth rights.

Preliminary Normalcy Framework Recommendations

1. **Normalcy and Families.** Youth should be provided with opportunities to contact individuals identified as family in a way that is productive and safe for the youth, family, and community, regardless of the permanency objective.
2. **Normalcy and Technology.** Youth have age appropriate access to technology on a continuum that allows the youth to attain the necessary technological skills balanced with the need to keep the youth and the community safe.
3. **Normalcy and Schools.** Youth should experience school stability as much as possible to allow the youth to continue learning and accessing the natural supports and extracurricular activities in the school.
4. **Youth Access to Healthcare.** Youth have access to the information and health care they need to allow them to be healthy and safe.

5. **Youth Access to Sustainable, Durable Routines.** Youth should experience a sustainable and durable routine that allows access to natural supports.

Trafficking

Leadership: Erin Alliano (Nebraska Alliance of Child Advocacy Centers), Nikki Novak (Boystown)

Past Leadership: Nathan Busch and Jason Feldhaus

Subcommittee Scope: Create recommendations related to the prevention of trafficking for youth who are system involved. Bring a focus on system-involved youth to current statewide trafficking prevention efforts.

Preliminary Recommendations

1. Prevention efforts should focus on youth missing from care and youth at risk of going missing from care.
2. Normalcy efforts should include more than just access to extracurricular activities, and should include acquiring life skills, such as driving, job skills, and social activities such as prom and homecoming dances. These skills and experiences allow youth to create protective factors and supportive connections to decrease the risk of going missing from care.
3. Youth who go missing from care should be treated as stakeholders would want their own children to be treated, including the same efforts to find the missing youth.
4. Change regulations and policy to allow the immediate and public distribution of a current picture and information about a youth when he or she goes missing from care, including through posting on social media.
5. Remove statutory and regulatory barriers that prevent cross-systems information sharing when youth go missing from care to create a collaborative response.
6. Provide youth returning from being missing from care access to a confidential and private health screening. This group and others will explore ways that the youth can be empowered to make decisions about their medical treatment, including consenting to and refusing treatment.
7. Provide youth returning from being missing from care access to legal counsel upon returning to care.
8. Allow youth to designate a safe space for “cooling off” where the youth can go as a safe alternative to going missing from care when the youth is angry or overwhelmed. This space will be checked before the youth is reported missing.
9. Require caseworkers and guardians ad litem to designate a safe word or phrase for the youth to use when it is necessary to have a confidential conversation with the professional outside the youth’s current placement.
10. Create a written process for caseworkers when responding to youth who are missing from care that emphasizes the importance of the first twenty-four hours after the youth leaves care.
11. Agencies should create and implement a screening tool to determine if a youth may have been trafficked.
12. Agencies, including the state agencies and providers, should create a process to identify the data necessary to assess and inform trafficking prevention efforts, create a process to collect that data, and utilize the Continuous Quality Improvement Process to review the data. Data should be

analyzed internally by DHHS and jointly with a group of individuals who are knowledgeable about trafficking.

13. When youth enter care, they should be informed of the agency response to youth missing from care, including that information would be shared about them in an effort to find them.

Training

Leadership: Ashley Brown (KVC), and Tracey Pearson (Youth Care and Beyond, Inc.)

Subcommittee Scope: Support the implementation of the SFA by creating a template to coordinate training for the core components.

Preliminary Recommendations

1. Trainings should be:
 - a. Archived and continuously available;
 - b. Accessible on mobile devices when possible;
 - c. Short form when possible; and
 - d. Universal and fluid enough to be utilized by a system wide audience.
2. Trainings should include an evaluation component when possible.
3. Trainings on the SFA should be incorporated into initial hire and preservice trainings.
4. Training should be made available and required as soon as possible for professionals and families who are already system involved. Trainings that are continuously available and accessible on mobile devices will support the immediate training for professionals and families.
5. Refresher trainings should occur annually, or as needed. The evaluation component recommended above can assist in identifying a need for refresher training.
6. The Training Subcommittee's Report can be used as a guide for stakeholder organizations to create comprehensive training programs tailored to their needs.