

Nebraska Children's Commission
Fortieth Meeting
September 20, 2016
9:00 AM – 3:00 PM
Southeast Community College, Rooms V-103 & 104
8800 O Street, Lincoln, NE 68520

I. Call to Order

The Nebraska Children's Commission Chair, Beth Baxter, called the meeting to order at 9:18 a.m.

II. Roll Call

Commission Members present (12):

Teresa Anderson	Vernon Davis	Janine Uchino
Beth Baxter	Kim Hawekotte	Kelli Wacker
Holly Brandt	David Newell	Paula Wells
Jennifer Chrystal-Clark	Susan Thomas (9:32)	Bill Williams

Commission Members absent (3):

Karen Authier	Marisa Cummings	Deb O'Brien
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Ex Officio Members present (6):

Michele Borg	Jeanne Brandner	Judge Linda Porter
Julie Rogers	Deb VanDyke-Ries	Doug Weinberg (10:00)

Ex Officio Members absent (5):

Dr. Matthew Blomstedt	Sen. Sara Howard	Courtney Phillips
Sen. Kate Bolz	Sen. Patty Pansing-Brooks	

A quorum was established.

Guests in Attendance (18):

Erin Aliano.....	Nebraska Alliance of Child Advocacy Centers
Theresa Barron-McKeagney.....	UNO, College of Public Affairs and Community Service
Cassy Blakely.....	Nebraska Children and Families Foundation
Bethany Connor Allen.....	Nebraska Children's Commission
Jude Dean.....	Foster Parent Representative
Amanda Felton.....	Nebraska Children's Commission
Sarah Forrest.....	Office of the Inspector General of Nebraska Child Welfare
Sarah Helvey.....	Nebraska Appleseed
Josh Henningsen.....	Nebraska Legislative Council
Liz Hruska.....	Nebraska Legislative Fiscal Office
Dan Jenkins.....	Nebraska Legislative Council
Timoree Klingler.....	Nebraska Legislative Council
Tom McBride.....	Nebraska Juvenile Justice Association
Nikki Novak.....	Boys Town
Kari Rumbaugh.....	Administrative Office of Probation
Mickey Sampson.....	Former Foster Ward
Billy Stock.....	Nebraska Legislative Council
Ivy Svoboda.....	Nebraska Alliance of Child Advocacy Centers

a. *Notice of Publication*

Recorder for the meeting, Amanda Felton, indicated that the notice of publication for this meeting was posted on the Nebraska Public Meetings Calendar and Nebraska Children’s Commission website on August 25, 2016 in accordance with the Nebraska Open Meetings Act. The publication will be kept as a permanent attachment with the meeting minutes.

b. *Announcement of the placement of Open Meetings Act information*

A copy of the Open Meetings Act was available for public inspection and was located at the rear of the meeting room.

III. Approval of Agenda

It was moved by Paula Wells and seconded by Theresa Anderson to approve the agenda as presented.

There was no further discussion. Roll call vote as follows:

FOR (11):

Teresa Anderson

Beth Baxter

Holly Brandt

Jennifer Chrystal-Clark

Vernon Davis

Kim Hawekotte

David Newell

Janine Ucchino

Kelli Wacker

Paula Wells

Bill Williams

AGAINST (0):

ABSENT (4):

Karen Authier

Marisa Cummings

Deb O’Brien

Susan Thomas

ABSTAINED (0)

MOTION CARRIED

IV. Consent Agenda

a. *Minutes of the July 19, 2016 Nebraska Children’s Commission Annual Retreat*

b. *Minutes of the July 20, 2016 Nebraska Children’s Commission Meeting*

c. *Bridge to Independence Advisory Committee Nomination Report*

- Representative of a Child Welfare Advocacy Organization:
 - Susan Thomas, CASA Volunteer
- Representative of a Child Welfare Service Agency:
 - Deb Shuck, Central Service Navigator for the Older Youth System of Care with CAPWN
- Young Adult Currently Or Previously In Foster Care:
 - Vernon Davis, Former Youth in Foster Care
- Representative of the Executive Branch of Government:
 - Lindy Bryceson, Protection & Safety Field Operations Administrator with DHHS, Division of Children and Family Services

d. *Normalcy Task Force Nomination Report*

- Young Adult Currently or Previously In Foster Care:
 - Vernon Davis, Former Youth in Foster Care

It was moved by Paula Wells and seconded by Kim Hawekotte to approve the consent agenda as presented. There was no further discussion. Roll call vote as follows:

FOR (6):

Beth Baxter	Vernon Davis	Janine Ucchino
Jennifer Chrystal-Clark	Kim Hawekotte	Paula Wells

AGAINST (0):

ABSENT (4):

Karen Authier	Deb O'Brien
Marisa Cummings	Susan Thomas

ABSTAINED (5)

Teresa Anderson	David Newell	Bill Williams
Holly Brandt	Kelli Wacker	

MOTION CARRIED

V. Juvenile Services Committee Nomination Report

Chair Baxter opened the floor for discussion on the appointments to the Juvenile Services (OJS) Committee. Two members had been nominated by the Committee:

- Mark LaBouchardiere, Kearney YRTC Facility Administrator
- Dan Scarborough, Geneva YRTC Facility Administrator

Kim Hawekotte, Chair of the OJS Committee noted that the two nominations were to replace two previous former voting members from the Office of Juvenile Services. The question raised was as to if the Commission felt it would be appropriate to have two voting members of the Committee from the Office of Juvenile Services, considering the Structure Memo outlining only one voting member per subgroup. The group conversed on the issue and ultimately agreed that given the scope of the OJS Committee, the YRTC Facility Administrators were imperative to the work being done.

It was moved by David Newell to appoint Mark LaBouchardiere and Dan Scarborough as voting members of the Juvenile Services Committee. The motion was seconded by Vernon Davis. There was no further discussion. Roll call vote as follows:

FOR (11):

Teresa Anderson	Vernon Davis	Kelli Wacker
Beth Baxter	Kim Hawekotte	Paula Wells
Holly Brandt	David Newell	Bill Williams
Jennifer Chrystal-Clark	Janine Ucchino	

AGAINST (0):

ABSENT (4):

Karen Authier	Deb O'Brien
Marisa Cummings	Susan Thomas

ABSTAINED (0)

MOTION CARRIED

VI. Chairperson's Report

Chair Baxter began her report by acknowledging the success that was the Children's Summit. She thanked Deb VanDyke-Ries, Director of the Court Improvement Project, for the hard work of her and her staff in putting on the event. She went on to discuss the System of Care Initiative and their recent award of \$12 million in grant funds over the next four years. The Chair informed the members that she had accepted a position as Co-Chair on the System of Care Leadership Council as a representative for the Commission. She noted that regular updates would be provided at Commission meetings

The changes in Commission membership was another topic covered by the Chair. She welcomed the new members:

- Designee of the Commissioner of the Department of Education
 - Michele Borg, Education of Systems-Involved Students (ESIS) Coordinator
- Appointee of the State Court Administrator
 - Deb VanDyke-Ries, Director of the Nebraska Court Improvement Project
- Director of a Child Advocacy Center
 - Kelli Wacker, Director of the Northeast Nebraska Child Advocacy Center
- Representative Of A Child Advocacy Organization
 - Bill Williams, Chief Operating Officer of COMPASS

The Chair also took a moment to thank the members that the Commission lost including Mary Jo Pankoke and Gene Klein. Both members had given much of their time and expertise to the Commission, and the hope of their continued involvement in the subgroups of the Commission was expressed.

VII. Department of Health and Human Services Update

An update on the Department of Health and Human Services (DHHS) was given by Doug Weinberg, Director of the Division of Children and Family Services. Mr. Weinberg informed the members of the progress of the Alternative Response (AR) program. There were currently 57 counties involved in AR with around 150 families and 366 children served. Additional data would need to be collected as the program was still in its early phases, but initial information showed improvement in the outcomes of the participants.

Other items of discussion included meeting 6 of 7 of the round 3 CFSR measures, the relaunching of the intensive family preservation program, family focused case management, the Youth Rehabilitation and Treatment Centers (YRTCs), and the start of statewide planning. Mr. Weinberg also commented that a Request for Proposal would be issued for case management providers in the eastern service area.

VIII. Legislative Overview and Discussion

The Chair welcomed the representatives of the Senators to provide updates on the relevant legislation. Timoree Klingler, Legislative Aid with the office of Senator Sara Howard began the updates. She discussed LR529, the Legislative Resolution examining the implementation of the Strengthening Families Act in Nebraska. A hearing was set for the LR on October 13th at 1:30pm. The Co-Chair of the Normalcy Task Force, Sarah Helvey, and Co-Chair representatives from each of the Task Force Subgroups would present on the work completed by the group thus far. In addition, Ms. Klinger also briefly covered LR513, a Legislative Resolution examining the workforce issues faces by the child welfare and juvenile justice systems. The hearing for LR513 was also set for the afternoon of October 13th.

Representing the office of Senator Kate Boz was Legislative Aid Dan Jenkins. Mr. Jenkins informed the members of LR514. This Legislative Resolution examined the availability of a program similar to Bridge to Independence for youth exiting the juvenile justice system. A hearing for the LR had been set for the afternoon of October 19th and would be invited testimony only.

Josh Henningsen, Legal Counsel for the Health and Human Services Committee of the Legislature, commented on LR561. The LR looked to examine the YRTCs and their effectiveness. He mentioned that while no hearing would be scheduled for the LR, a report was being drafted for release.

Lastly, Billy Stock, Administrative Assistant with the office of Senator Patty Pansing Brooks provided an update. He informed the members of the Senator's work including LR564, examining post-secondary education in the state. Another area of focus included a push for increased access to legal representation for youth with LR576. The Senator was working with the Courts and Legal System Workgroup of the Commission to examine the issue and forward recommendations.

IX. Psychotropic Medication Committee Update

Paula Wells, Co-Chair of the Psychotropic medication committee was invited to provide an update of the group's work. Ms. Wells gave a brief background on the history of the Committee. She noted that the group was working to provide member recommendation for the Committee at the next meeting of the Commission. An area of interest that the group was working on included the form and process for informed consent of psychotropic medication. A taskforce had been formed to examine how to streamline the process for the youth, family, and caseworker.

X. Juvenile Services Committee Update

Representatives presenting for the Juvenile Services (OJS) Committee included Committee Co-Chair, Kim Hawekotte, and member Cassy Blakely. Ms. Hawekotte gave a short explanation of the Committees recent efforts. The group had met in June to review its strategic plan from 2013 and evaluate what changes in recommendations were necessary. She explained that through the course of the Committee's discussion, that they found many of the original recommendation were no longer relevant. The Committee broke down the current issues into four categories with a Workgroup created for each. They categories included Courts and Legal Systems, Evaluation of Programs and Assessment of Youth, Services Coordination, and YRTC and Out-of-Home Placement workgroups. Each of the Workgroups had met multiple times since June to create updated recommendations.

Ms. Hawekotte started with a review of the work of the Courts and Legal System Workgroup. This workgroup had focused on the issue of legal representation for youth. While LB894 had required legal representation for youth in all counties with a population of one hundred fifty thousand or more, the Workgroup felt that it should be expanded to include all counties no matter population. Two rural area judges had agreed to pilot the issue in order for the Workgroup to gain data on the potential outcomes of offering legal counsel to youth. Other areas the Workgroup had looked into were offering diversion efforts to youth pre-filing, examining the possibility of separate juvenile courts, and researching the potential for sealing or expungement of youth records.

The next Workgroup reviewed was the Evaluation of Programs and Assessment of Youth Workgroup. This Workgroup had identified several areas of focus. Education of stakeholders was one of particular emphasis as it would ensure appropriate use of assessment devices, inform on the role of adequate dosage, and the nature of evidence based practices. The Workgroup built upon that by recommending the adoption of a system wide categorization of evidence based practices. Other suggestions from the workgroup included a survey to gather information on current assessment techniques in use, creation of a shared database, and support for the Data Mapping and Analysis Taskforce in identifying both the needs of Nebraska youth and the resources currently available for them.

Next was the Services Coordination Workgroup that centered on ways to best utilize collaboration within the communities to promote effective and efficient efforts. The Workgroup encouraged a collaborative relationship with the Division of Behavioral Health in order to receive regular updates on the System of Care Initiative and with the Department of Education to ensure youth involved in the juvenile justice system received an adequate education. Also, the Workgroup emphasized the benefits of Collective Impact and Community Collaboratives in addressing barriers. This lead well to the suggestion of promoting the use of braided funding to meet the needs of Nebraska youth. Lastly, the Workgroup stressed the need for workforce development and service access, particularly within rural communities.

The last of the OJS Committee Workgroups was the YRTC and Out-of-Home Placement Workgroup. This Workgroup agreed to focus their recommendations on the YRTC for this year's report. With the current YRTC populations looking very different from when the recommendations were put forward in 2013, the group found many of them were no longer relevant. The Workgroup had agreed that the YRTC facilities should remain open serving its current population. They also felt it was necessary to have an evaluation and assessment process in order to measure outcomes of the facility efforts. Additional research would continue to look at alternative systems to promote a continuum of care with the YRTC encompassed in the available services.

The YRTC and Out-of-Home Workgroup had also discussed the current population of youth considered as "Level Five." These level five youth are high risk youth who receive treatment in a highly structured facility. The group felt that the current campus accommodations were adequate to handle this population with the use of separate short-term stay building. This would allow for continuity in staff and care as well as allow for the youth to easily transition back into the larger YRTC population. Continued research would occur by the Workgroup on this issue.

The last recommendation of this Workgroup was that the recommendation that staffing numbers at the facilities reflect the numbers provided in the staffing analysis of the Office of Juvenile Services. Adequate funding to support these staffing ratios would be necessary to ensure the safety of both the youth and staff at the facilities.

Commission members commented on the positive effect of provided legal counsel in Lancaster County, remarking that the process had become more streamlined with informed youth. Many members were encouraged to see the results of the legal counsel pilot project within rural areas. They also had interest in the work being done regarding the sealing and expungement of records. Per, statute the process for sealing records should be uniform across the state. Commission members expressed interest in hearing more on this topic as information was gathered.

XI. Lunch

The Committee recessed for lunch at 12:00 p.m.

The meeting resumed business at 12:35 p.m.

XII. Normalcy Task Force Update

Sarah Helvey, Chair of the Normalcy Task Force, introduced herself to the Commission and welcomed the Co-Chair representatives of each of the Task Force Subcommittees. Ms. Helvey began with an overview of the Federal Preventing Sex Trafficking and Strengthening Families Act and of LB746, the Nebraska Strengthening Families Act. Issues such as the Reasonable Prudent Parent Standard (RPPS), the youth Bill of Rights, youth involvement in case planning, and Another Planned Permanent Living Arrangement (APPLA) were a handful of the subjects that were covered. It was noted that nearly 100 individuals were involved in the efforts of the Task Force and its subcommittees.

Sarah Forrest discussed the work of the Grievance Subcommittee. The group had worked to survey the various stakeholders and pull together information on their grievance processes which identified many processes across the systems, very few of which were being accessed by youth. There was also a survey done of youth in the Bridge to Independence program. They were asked to provide feedback on grievance issues from when they were system involved. Data showed that a majority of youth did not know their rights, that youth often sought out communication when they felt grieved, and that they commonly grieved to their caseworker or caseworker supervisor. From the information the Grievance Subcommittee came to the consensus that grievances should come from or on behalf of a youth. Further work would be done to identify how to educate and empower youth to utilize grievance systems, continue to research the current processes, and to explore potential structures for a new grievance process.

The Normalcy Subcommittee was represented by Theresa Barron-McKeagney and Tom McBride. They remarked on the difficulty in tackling an issue with such a broad spectrum of definitions. The Subcommittee created guiding principles to aid those involved in finding the place on the spectrum that offers each youth their best version of Normalcy. Mr. McBride mentioned the recommendation to have all child licensing entities

create a plan to encourage Normalcy within their case planning process, to support family connections and the prevention of contact being used as either a punishment or reward, to recognize the need for healthcare information, and several other issues.

Erin Aliano and Nikki Novak followed with updates on the work of the Trafficking Subcommittee. They discussed the group's emphasis on the prevention efforts of trafficking. Their goal is to ensure that all youth are provided the resources needed to feel safe and educated on how to avoid sex trafficking. Ms. Aliano informed the Commission that foster youth had an increased risk of becoming involved in sex trafficking. A need for culture change was stressed, commenting that even the language of "runaway" was being phased out in favor of "youth missing from care." This shifted the view of the punitive reaction towards missing youth to displaying the idea that the foster youth are worth searching for and should be treated as one's own child in the efforts to find them.

The Training Subcommittee update was provided by Sarah Helvey in the absence of Subcommittee Co-Chairs Ashley Brown and Tracey Pearson. She reviewed the work the Training Subcommittee had done to identify the core components of training subjects, the best practice training efforts, and the target audience for each topic. A comprehensive guide had been drafted to provide guidance to the stakeholder organizations as they began the implementing training for the Strengthening Families Act.

Lastly, Jude Dean and Mickey Sampson provided an update on the Community and Family Voice Subcommittee. This Subcommittee was made up of youth, foster parents, stakeholders, and community organizations. Its main focus had been on creating recommendations for a draft youth Bill of Rights. A survey had been created that was distributed to current and former youth in out-of-home care. Input had been gathered and the group was working to finalize recommendations to submit to the Commission at their next meeting. They also had plans to look at potential funding mechanisms to support Normalcy activities, partner with stakeholders to create a listing of community resources for youth and families, and to explore community events to collect input and raise awareness of the Strengthening Families Act.

The Commission responded to several issues, the first being how to balance the idea of providing the best opportunities possible while in care, and realizing the limitations of those opportunities after reunification. The members raised concern about funding that was only available for foster youth, prohibiting the youth from accessing the assistance for those activities once leaving care. It was suggested for the Community and Family Voice Subcommittee to reach out to the Foster Care Reimbursement Rate Committee for help in addressing funding issues for Normalcy.

XIII. Strategic Plan Update

Chair Baxter referred everyone to the draft strategic plan handout. The Chair summarized the history of the Commission, noting that the child welfare and juvenile justice populations have changed quite a bit since the 2012-2013 strategic plan was created. With the creation of a strategic plan outline in statute, the Commission had made it the focus of the July 19, 2016 annual retreat.

Many of the goals formed in the original strategic plan were still relevant, and placed added importance on the momentum of the Commission's Workgroups. The Chair reviewed other important areas of the Strategic Plan highlighting the statutory assignments, continuation of the Workgroups with added emphasis on the Legal Parties subgroup, reconvening of the Structure Taskforce, bringing on the Director of the Division of Behavioral Health as a member, and asking the Divisions of Public Health and Developmental Disabilities to provide updates as needed to the Commission. Chair Baxter invited any members interested in the Structure Committee to let her or Commission staff know.

XIV. Probation Report

Presenting for Probation was Kari Rumaugh, Assistant Deputy Administrator of the Juvenile Services Division. Ms. Rumaugh updated members on the Community and Evidence Based Services Initiative, indicating that a request for quotation had been finalized and that 12 different submissions were in the process of being reviewed. Other items covered included the a site visit in San Jose, CA to examine the youth facilities and

examine the feasibility of implementing a similar model in Nebraska, information on crossover youth, and the Pilot in Lancaster County utilizing the MASI assessment tool for status youth.

Chair Baxter commented on the partner relationship between Probation and the Division of Behavioral Health and the exciting work that was being done. The focus will be on pulling systems together to address youth and families in crisis. There was also talk about the JUSTICE wrap around pilot that is an extension of the Professional Partner Program, taking the principles from the program and applying them juvenile justice youth.

XV. Commission Subgroup Leadership

Chair Baxter highlighted the many open leadership positions of the Commission's groups. Open positions included the following:

- Vice Chair of the Nebraska Children's Commission
- Co-Chair of the Bridge to Independence Advisory Committee
- Co-Chair of the Foster Care Reimbursement Rate Committee
- Co-Chair of the Community Ownership of Child Well Being Workgroup
- Co-Chair of the System of Care Workgroup
- Co-Chair of the Workforce Workgroup

XVI. Public Comment

Chair Baxter opened the floor to Public Comment. No Public Comment was given.

XVII. New Business

There was no New Business.

XVIII. Upcoming Meeting Planning

The November 15, 2016 meeting would have many presentations on final reports to be included in the Children's Commission Annual report.

XIX. Adjournment

It was moved by Paula Wells and seconded by Bill Williams to adjourn the meeting. Motion carried by unanimous voice vote. The meeting adjourned at 1:17 p.m.

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