

## Strengthening Families Act Committee Meeting

October 10, 2019

9:30 a.m. – 11:30 a.m.

CEDARS Northbridge, 1533 N 27th St, Lincoln, NE 68503

### 1. Call to Order

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Co-Chairs of the Strengthening Families Act (SFA) Committee of the Nebraska Children’s Commission (Commission), Vernon Davis and Sarah Helvey, opened the meeting at 9:35 a.m.

### 2. Roll Call and Introductions

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#### *Committee Members present (11):*

Payne Ackerman	Patricia Frost	Terri Knutson
Deanna Brakhage	Ron Giesselmann	Amara Madsen
Heather Colton	Brandy Gustoff	Sarah Riffel (10:00 a.m.)
Vernon Davis	Sarah Helvey	

#### *Committee Members absent (7):*

Ashley Brown	Kim Hawekotte
Nathan Collier	Deb Schuck
Rebecca Daugherty	Lisa Story
Stephanie Gardella	

#### *Ex Officio Members present (1)*

Deb VanDyke-Ries

#### *Ex Officio and Resource Members absent (2):*

Bailey Perry  
Kelli Schadwinkel

#### **A quorum was obtained.**

#### *Guests in Attendance (9):*

Crystal Aldmeyer.....	Nebraska Children and Families Foundation
Adam Anderson.....	Nebraska Children’s Commission
Dave Gottschalk.....	Office of Senator Hunt
Chris Jones.....	Nebraska Children’s Commission
Tom McBride.....	Nebraska Juvenile Justice Association
Karen Moran.....	NDHHS, Division of Children and Family Services
Felicia Nelsen.....	Nebraska Foster and Adoptive Parents Association
Julie Smith.....	Administrative Office of Probation, Juvenile Services Division
Cristen White.....	PromiseShip

##### *a. Notice of Publication*

Recorder, Adam Anderson, indicated that the notice of publication for this meeting was posted on the Nebraska Public Meetings and Nebraska Children’s Commission websites in accordance with the Nebraska Open Meetings Act.

##### *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 on the sign in table to the side of the meeting room.

### 3. Approval of Agenda

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It was moved by Brandy Gustoff to approve the [agenda](#) as presented. Payne Ackerman seconded the motion. There was no further discussion. Roll Call vote as follows:

**FOR (10):**

Payne Ackerman  
Deanna Brakhage  
Heather Colton  
Vernon Davis

Patricia Frost  
Ron Giesselmann  
Brandy Gustoff  
Sarah Helvey

Terri Knutson  
Amara Madsen

**AGAINST (0):**

**ABSENT (8):**

Ashley Brown  
Nathan Collier  
Rebecca Daugherty

Stephanie Gardella  
Kim Hawekotte  
Sara Riffel

Deb Schuck  
Lisa Story

**ABSTAINED (0)**

**MOTION CARRIED**

**4. Approval of Meeting Minutes**

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It was moved by Payne Ackerman and seconded by Brandy Gustoff to approve the minutes of the [June 3, 2019](#) meetings as presented. There was no further discussion. Roll call vote as follows:

**FOR (10):**

Payne Ackerman  
Deanna Brakhage  
Heather Colton  
Vernon Davis

Patricia Frost  
Ron Giesselmann  
Brandy Gustoff  
Sarah Helvey

Terri Knutson  
Amara Madsen

**AGAINST (0):**

**ABSENT (8):**

Ashley Brown  
Nathan Collier  
Rebecca Daugherty

Stephanie Gardella  
Kim Hawekotte  
Sara Riffel

Deb Schuck  
Lisa Story

**ABSTAINED (0)**

**MOTION CARRIED**

**5. Co-Chair Report**

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*a. Nebraska Children's Commission Update*

Co-chair Helvey expressed excitement for the recently appointed 2019 Commission. Commission Staff Member Jones updated the SFA Committee of the recently appointed 2019 Commission and updated the Committee on the recent work happening at the Commission, including the first Commission Meeting on October 15, 2019. Jones also updated the Committee on the recent addition of Commission Staff Member, Adam Anderson.

**6. Legislative Update**

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*a. LR126*

Dave Gottschalk, from the Office of Senator Hunt's Office updated the committee on LR126, a resolution introduced during the last interim session. LR126 looks at rights of foster care youth, and what the foster youth know about their rights. This resolution will put the foster youth bill of rights in statute, so there are no longer

policy changes regarding the foster youth bill of rights as administration changes within DHHS from year to year. Gottschalk added that through recent focus groups it has been discovered that youth are often unaware of their rights. Gottschalk asked for volunteers to meet and for input from anyone that would like to offer support

Co-chair Helvey added to Gottschalk's update regarding LR126, by advising the Committee on recent focus groups happening around the state. She added that in the original Strengthening Families Act, there was a requirement for the Guardian Ad Litem to put in their GAL Report a statement about advising their youth clients of their rights. The GAL Committee of the Supreme Court later rolled back that requirement. Helvey added that maybe this requirement of the GAL may be worth looking at again.

Chris Jones recommended that the Committee will pull the previous materials regarding the Foster Youth Bill of Rights for discussion at future SFA Meetings.

b. LB219

Senator Anna Wishart joined the meeting via conference call and gave the committee an update on LB219. LB219 is a very popular and non-controversial bill helping foster care youth receive their driver's license, but it has struggled to get it on the consent calendar as it has a fiscal note to provide a birth certificate to foster care youth. Additionally, Senator Wishart does not see this bill receiving a priority designation. The hope is to get the bill attached to another bill that is for sure going to go through. The advocates for this bill need to be strategic very early to find a bill that it can be attached to. Senator Wishart discussed the options of attaching it to another bill that opens the same statute for the attachment to remain germane, although given that the bill is non-controversial, the Senator does not believe it will be a problem attaching it to a bill that does not open the same statute. Wishart offered that anyone with connections to DHHS, particularly providers to reach out to discuss the fiscal note attached to this bill. Wishart brought up that two years ago the same bill did not have a fiscal note attached. Wishart offered that the barrier to passing the bill at that time a judge was concerned with the liability issue for the foster parents and the bill was not attached to a priority bill. Often times bills without a priority designation or not attached to a priority bill will simply fall to the bottom of the list.

The Committee discussed issues regarding the fiscal note, collaboration with DMV, DHHS policy regarding maintaining official copies of birth certificate in the youth file. Co-chair Helvey added that this bill is important for foster care youth to maintain a sense of normalcy in their teen years.

## **7. Licenses and Insurance for Teen Drivers in Foster Care**

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Sara Druke, Coordinator of Opportunity Passport and Community Action, introduced herself and offered history, statistics, and background on the program, particularly about how it relates to foster youth driver's licensing and vehicle purchase. Opportunity Passport offers financial education through curriculum called "Keys to Your Financial Future," a fifteen-hour curriculum. Additionally they bring in partners from the community to provide financial well-being assistance. The most popular class they offer is the vehicle class. Through this class they offer a three-to-one match, up to \$6000 for insurance, licensing, and vehicle purchase. License is required for purchase. Coaching is provided for life-skills. Some barriers to obtaining a license include vehicle driving practice, liability concerns from foster parents, late start in learning, many failed attempts, rural DMV and driver's education classes. Lastly and the biggest barrier, insurance rates for youth are often sky-high. Lack of previous insurance, lack of co-insured parent, accidents all increase rates. Sara Riffel added there is a partnership with AAA, and Pinnacle Bank offers a 2.8% APR loan.

Committee Member Brandy Gustoff reported to the Committee the process that Omaha Home for Boys uses to assist out of home youth to attain their licenses. Gustoff mentioned that there are a few youth that have been gifted vehicles in the past who have discovered later they are unable to afford the insurance, maintenance, licensing. Car gifting isn't always the best option, as the youth do not go through the process to see if they can

afford the car long term. Omaha Home for Boys uses funding from grants and private donors to assist youth in attaining their birth certificates, Social Security Card, and provisional license or state ID. Gustoff added that they have a partnership with the Nebraska Safety Council to arrange a rate where the Safety Council will come onsite to complete driving time with the youth and arrange time to go to the DMV for the driver's license test. Lastly, Gustoff added that if the youth are interested in getting their license, they are able to do so. It is not a reward-based program.

Felicia Nelsen reached out to foster parents who previously had teens in their home and whether or not they assisted the youth in attaining a driver's license. Answers from the foster parents often said that it was dependent on the youth placed in the home. Some factors included earning trust of home, following rules, having a job to afford it or being involved in activities, not frequently missing from placement. Nelsen reported out that the answers she received this time were very different than the last time she reached out regarding this issue, most likely due to the enacted Reasonable Prudent Parent Standard. Other information Nelsen received was that some foster parents have added youth on their policy, but the subsidy was not enough to cover the costs of the insurance. Additional feedback received from foster parents is that there is a substantial time commitment involved. Among the required visits, school, therapy; there just isn't enough time to get driver's education for the youth. Getting waivers from insurance that the youth will not drive the family car, getting time off work, and the lack of time that the youth is placed in the home are also factors. Many families utilized Opportunity Passport to assist in vehicle purchase. Finally, Nelsen offered that the answers received this time were far more promising than when asking two years back.

The panel recommended that foster youth having access to the Vital Documents and Proof of Address, and possibility of a waiver of some type for foster youth is important. It was discussed that a letter on Official Letterhead from Probation or DHHS may work for proof of address. Input from the DMV may be needed to move forward on recommendations to LB219.

## **8. Subcommittee Updates**

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### *a. Normalcy Subcommittee*

Co-Chair Felicia Nelsen updated the Committee that the Subcommittee has met and the Normalcy Reports that arrived in April 2019 were reviewed. Reviews indicated that Normalcy Reports received were varied and indicated overall the provider's level of understanding in regard to the current Normalcy Plan regulations regarding. Guests at the Subcommittee Meeting, Karen Moran and Joni Oliver, from DHHS offered that DHHS Contract Monitoring Staff will review the Subcommittee's feedback and recommendations in order to hold the providers up to the standard of Normalcy Plans required by statute. Felicia noted that it was found that often times the Contract Monitors are ensuring the Normalcy Plans are in place but not holding the providers accountable to the regulations regarding Normalcy Plans. New Normalcy Plans from providers will come in October/November, and reports on those plans will be released in April following the subcommittee's review. Chairperson McBride added that the Subcommittee lacks the "teeth" to lead the providers to compliance, and it was best to leave the enforcement of the policy to the Department based on the Subcommittee's review. Subcommittee Member Ron Giesselmann added that although his agency, Masonic-Eastern Star Home for Children, is private and not bound by this requirement, they have incorporated Normalcy Plans into their policy. Giesselmann commended McBride and Nelsen on their hard work within the Subcommittee.

### *b. APPLA Subcommittee*

Chairperson Crystal Aldmeyer and Deanna Brakhage updated the committee about the recent work of the APPLA Subcommittee. It was decided that one of the priorities of the Subcommittee will be an assessment tool, but there hasn't been much success finding a good one. In a recent addition to NFOCUS by DHHS, Brakhage is looking into the Transitional Plans within NFOCUS to see if the youth has identified an advisor. She added that on random inspection, most youth didn't not have an advisor listed, and the most frequent reason given was that an advisor had not been identified. Details were lacking in this aspect. It was speculated

that perhaps the CFS Worker not advising the youth the importance of this. Brakhage added that perhaps it might be appropriate to start with a smaller group. Brakhage will bring DHHS 5-year plan to the next meeting to see if there is anything within the 5-year plan that the Subcommittee would like to focus on in their next endeavors.

*c. Trafficking Subcommittee*

Chairperson Sarah Forrest updated the committee that the Trafficking Subcommittee has met. LB519 passed last year which clearly stated that trafficking is a form of child abuse and neglect and required DHHS to investigate and assess risk and needs, and to offer services for all youth where there is a trafficking allegation, rather than only those youth whose caregivers were directly involved in the trafficking. Because this legislation was passed and was the focus of the Subcommittee, the Subcommittee went on a brief hiatus to see where the legislation landed once it went into effect. The new trafficking law has been in effect a little over a month. Recent feedback has shown that services and assessments for the victims are lacking, and the reorganization of the Human Trafficking Taskforce is still underway and not finalized. Forrest answered questions regarding where the best fit for the Trafficking Subcommittee. Forrest presented a review of the Attorney General Task Force, which has been grant-funded for the last four years with Law Enforcement handling the criminal aspects of trafficking and the Salvation Army handling the service side of trafficking for the victims. The Federal grant is now ending and the reorganization for the Task Force will focus on law enforcement and prosecution and will lack the services side of things. Forrest recommended there is a need for a Trafficking Subcommittee somewhere in the state, however it may not fit as much under the current work of the SFA Committee. Sara Riffel offered up that group may merge with another relevant group or pursue priorities and include other priorities. Members discussed that the original priority of the Subcommittee was focused on youth missing from care. Commission Staff Member Jones shared with the Committee that there are many avenues that the Committee can take regarding the Subcommittee, all at the discretion of the Committee. Chairperson Forrest will work with Chris Jones and Deanna Brakhage to get some specific data regarding trafficking. It was recommended by Helvey that the Subcommittee go dormant while the AG's Taskforce and other taskforces are being finalized.

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## **9. New Business**

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Committee Member Pat Frost shared that the Nebraska Department of Education State Homelessness Coordinator for Schools went to a conference recently. Part of the conference was presented by the Continuum of Care Planning Alexandria LeBends from the Center of Children Families and the Law. They spoke on the \$3 million grant for outer areas of Nebraska to work with students and young adults that are homeless, from age 16 up to 24. Frost believes this may be of interest to those that are working on the foster youth licensing issue. She will send information to Commission Staff to send out to the listserv.

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## **9. Public Comment**

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Co-Chairs Davis and Helvey invited any public forward who wished to make comment. No comment was offered.

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## **10. Next Steps**

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Planning for 2020 was tabled until next meeting. In the interim, Helvey directed the Committee to think about priorities for SFA for 2020. A meeting date will be determined for January in advance of the February Commission Meeting. Commission Staff Anderson will survey the Committee for preferred dates.

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## **11. Adjournment**

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The meeting adjourned at 11:30 a.m.

Respectfully Submitted,  
Adam Anderson