

7/18/2020



# Nebraska Strengthening Families Act Committee 2019- 2020 Annual Report

Report to the Nebraska Children's Commission, the Governor, the Health and Human Services Committee of the Legislature, and the Department of Health and Human Services

Submitted Pursuant to Neb. Rev. Stat. §43-4218

## NEBRASKA STRENGTHENING FAMILIES ACT COMMITTEE ANNUAL REPORT

The Nebraska Strengthening Families Act (NSFA) Committee was created as the Normalcy Task Force 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, [§43-4702](#), implements the federal SFA and initial stakeholder recommendations. Both the federal and state SFA 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. Additional legislation related to best practices in implementation was passed as [LB225 \(2017\)](#).

The Committee has met quarterly for the last year to accomplish its statutory mandates. The Committee created three

### STATUTORY CHARGE

The Nebraska Strengthening Families Act Committee shall monitor and make recommendations regarding the implementation in Nebraska of the federal Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183, as such act existed on January 1, 2017, and the Nebraska Strengthening Families Act, [Neb. Rev. Stat. §43-4701 to §43-4715].

### PRIORITIES

1. Continue to monitor the implementation of the federal Strengthening Families Act.
2. Promote normalcy as the foundation to: prevent trafficking; address disparate impacts on minorities; and support the successful transition to adulthood
3. Coordinate implementation with other policy making bodies.

Subcommittees to fulfill the detailed work of prioritized initiatives. These include: 1) the Trafficking Subcommittee, 2) the Another Planned Permanent Living Arrangement (APPLA) Subcommittee, and 3) Normalcy Subcommittee.

The Committee periodically creates and archives Subcommittees depending on their fulfillment of assignments from the Committee. Archived NSFA Subcommittees include: Community & Family Voice, Grievance Procedure, Training and Court Implementation. These groups may be called upon, reviewed and/or revived depending on need of the Committee and emerging issues.

For more information or to get involved, please visit our [website](#), or email [necc.contact@nebraska.gov](mailto:necc.contact@nebraska.gov).

## PRIORITIZED INITIATIVES

### Summary of Activities 2019-2020

During FY2020, the NSFA Committee, with the help of three branch participation, and community representatives, made great progress continuing to advance culture changes within the child welfare and juvenile justice systems to ensure normalcy for youth in out of home placement, identifying victims of child sex and labor trafficking, and ensuring supports are in place for a successful transition to adulthood.

Much of the focus of the last year's work was on continuing the work for the Commission and its Subcommittees after the sunset date was removed (June 30, 2019). The need for the NSFA Committee to remain as a statutory body has been reviewed. Great progress has been made by the Committee, and further work remains.

The Normalcy Subcommittee reviewed Normalcy Plans and Reports submitted by child-caring agencies (pursuant to [§43-4706](#)) and plans to implement qualitative youth surveys during FY2021.

The APPLA Subcommittee is reviewed the Foster Care Review Board Office 2019 Annual Report and will be working to identify specific areas of need within the Independent Living Assessment process.

The Trafficking Subcommittee reactivated in May 2020 and is taking a closer look at collaborating with other trafficking taskforces to serve as a forum for youth related trafficking services, data and resources.

## RECOMMENDATIONS

1. Normalcy should extend to youth in care in all systems as appropriate and considering parental preference. The Committee recommends the statutory requirement for Normalcy Plans and Reports pursuant to §43-4706 be amended to include facilities which provide treatment services as a component of the placement, including treatment group homes and psychiatric residential treatment facilities.
2. Stakeholders should make every effort to make decisions that enhance and maximize normalcy and avoid placements and circumstances that are inherently not normal.
3. Children, youth and foster caregivers should be given the opportunity to be present at every court hearing. When this is not possible, court information forms should be available in every jurisdiction and provided to youth and their foster caregivers.
4. The court forms must have a party responsible for ensuring youth and foster caregivers receive forms and have a user-friendly way to return those forms to the Court prior to the hearing.

## LEGISLATIVE ACTIVITY

### Summary of legislative activity related to work of the Strengthening Families Act Committee

**LB219:** During the 106<sup>th</sup> Legislature, 2<sup>nd</sup> Session, LB219 was introduced, which changes requirements for foster care transition proposals and provides immunity from liability for caregivers. LB219 ensures youth in foster care have access to the documentation and preparation needed to obtain a driver's license in the state of Nebraska. Access to legal documents transportation options are important components of normalcy for youth as they transition into adulthood. LB219 is on Select File and the Strengthening Families Act Committee supports its advancement.

**LB519:** During the 106<sup>th</sup> Legislature, 1<sup>st</sup> Session, LB519 was passed which requires DHHS to investigate all allegations of alleged child sex and labor trafficking regardless of the perpetrator. This important legislation will improve our state's coordinated response and intervention to child sex and labor trafficking.

**LB941:** During the 106<sup>th</sup> Legislature, 2<sup>nd</sup> Session, LB941 was introduced with a proposed Youth in Care Bill of Rights. Senator Hunt's office worked to gather youth input for the proposed bill. The Strengthening Families Act Committee and Nebraska Children's Commission support enacting a Youth in Care Bill of Rights in Nebraska.

## SUBCOMMITTEES

### Another Planned Permanent Living Arrangement (APPLA)

Crystal Aldmeyer, Chair

The Subcommittee focuses its efforts on the provisions of the State and Federal Strengthening Families Acts related to Another Planned Permanent Living Arrangement (APPLA). This permanency goal means youth will be self-sufficient, including caring for themselves independently and providing for themselves financially, through either employment, supportive services or public financial assistance, and that reunification, adoption, and legal guardianship were attempted, but unsuccessful or not in the youth's best interest. Without a permanent family, these youth need extra support to attain their goals, achieve emotional permanency, and transition to adulthood.

Normalcy for youth transitioning out of the child welfare system includes creating a supportive network to help youth face life's challenges and a baseline of independent living skills.

**Activities:** The APPLA Subcommittee reviewed the [FCRO 2019 Annual Report](#), which identified concerns with Independent Living Assessment "ILA". The ILA is completed for youth ages 14-18. It was completed for 38.2% of youth during the fiscal year reviewed. During the next report year, the Subcommittee plans to dive deeper into this data in partnership with FCRO and other stakeholders in order to develop recommendations for improving this area for youth.

The Subcommittee is also researching the [Youth Thrive Survey](#) in order to determine if it could be an effective replacement for the Ansel Casey Assessment. The Ansel Casey Assessment is currently used as an Independent Living Assessment tool for youth ages 14-18 in Nebraska. During the next report year, the Subcommittee plans to develop further recommendations for the Independent Living Assessment process.

Many Subcommittee members gave input and helped facilitate youth voice in the development of a Youth in Care Bill of Rights, which was introduced during the 106<sup>th</sup> Legislature, 2<sup>nd</sup> session as [LB941](#). This bill was an important step in advocating for youth rights in Nebraska. Senator Hunts' office has expressed intent to collaborate on alterations to the bill for it to be reintroduced during the 107<sup>th</sup> Legislature, 1<sup>st</sup> session.

## SUBCOMMITTEES

### Trafficking Subcommittee

Sarah Forrest, Chair

#### Core Values for Responding to Minor Victims of Third-Party/Non-Caregiver Trafficking:

- Minors who are missing and repeatedly missing from care are at-risk of being trafficked.
- Any minor who is a trafficking victim is a victim of child abuse, and should be treated as such.
- Minors who are trafficking victims should not be criminalized or penalized for behaviors, sexual or otherwise, related to their exploitation and should not be forced into the juvenile or criminal justice system.
- Minors who are trafficking victims and their families should have access to the services and supports they need.
- Our communities and all of our state and local agencies who serve children have a role to play in identifying and responding to minors who are victims of trafficking. If we are to successfully respond to trafficking, all of these agencies must devote time and resources to this challenge and work together.

**Purpose:** **1)** Monitor and make recommendations to ensure that the implementation of the Federal and State Strengthening Families Acts support the prevention of trafficking. **2)** Minimize victimization for system involved youth by creating and supporting collaborative approaches to trafficking.

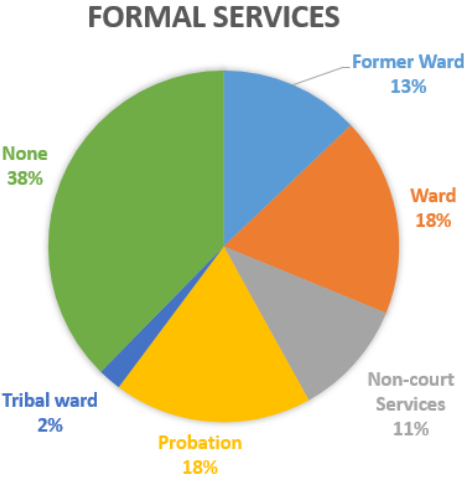
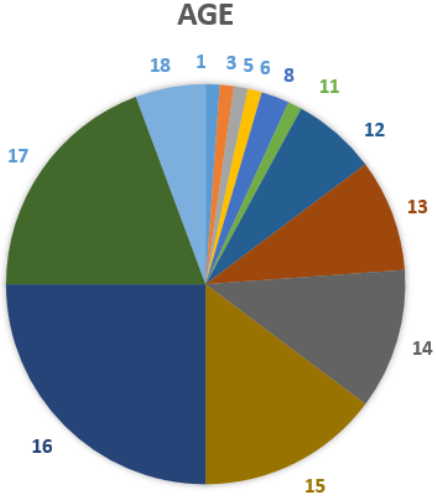
**Activities:** This group was dormant for most of FY2020 but reactivated in May of 2020 to examine need for the group moving forward.

During the 106<sup>th</sup> Legislature, 1<sup>st</sup> Session, [LB519](#) was passed which requires DHHS to investigate all allegations of alleged child sex and labor trafficking regardless of the perpetrator. This important legislation will improve our state's coordinated response and intervention to child sex and labor trafficking. With the passing of LB519, there is now a standard process for the mandatory requirement of sharing cases of suspected trafficking with local law enforcement.

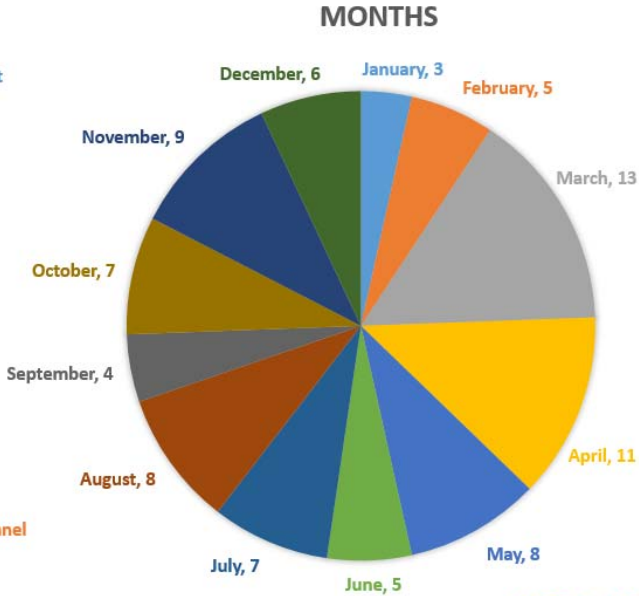
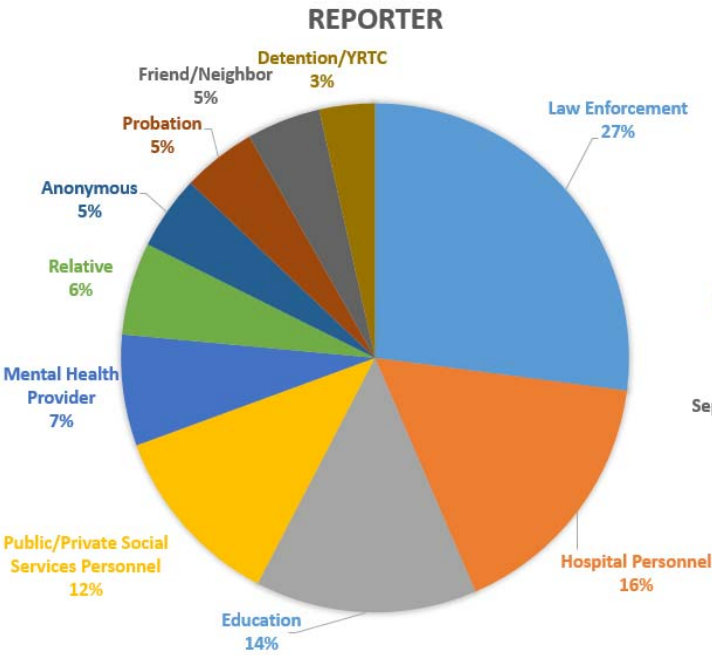
Moving forward, this Subcommittee will work in collaboration with NHTTF to identify areas of need. Currently, NHTTF does not have subgroups specifically focused on youth trafficking, services or response. These may be areas for this Subcommittee focuses on during the next report year.

This subcommittee continues to review trafficking related intake information from DHHS. Data from the May 2020 meeting can be found on pages 7-9.

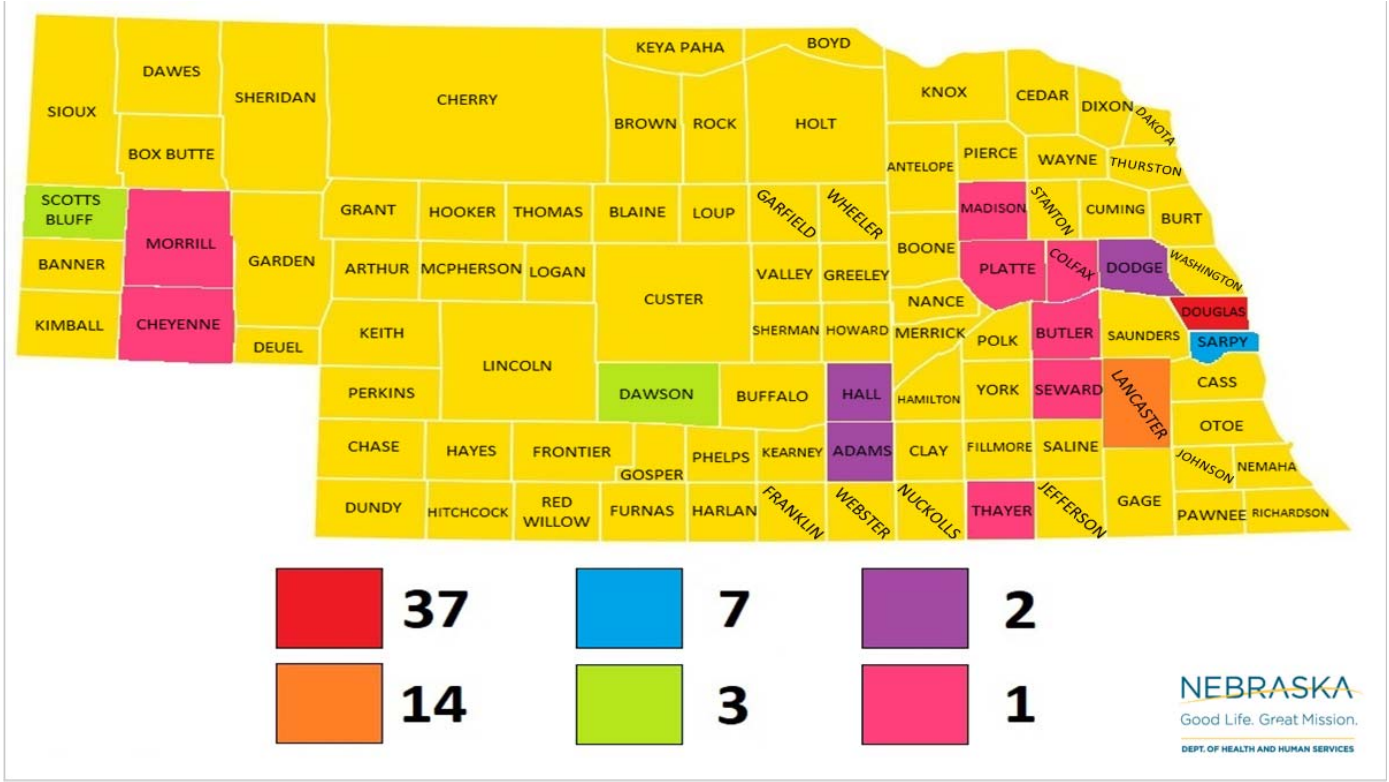
# 2019 Trafficking Reports made to the Abuse and Neglect Hotline



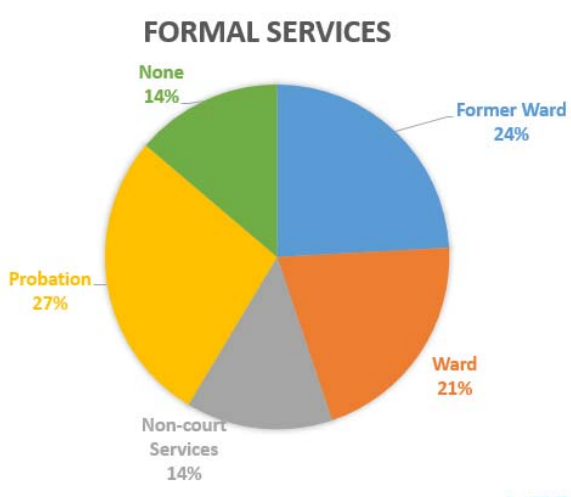
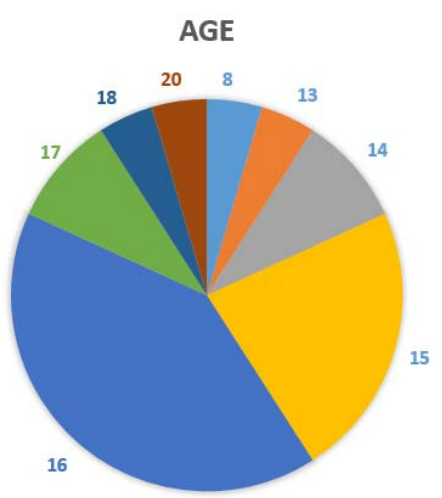
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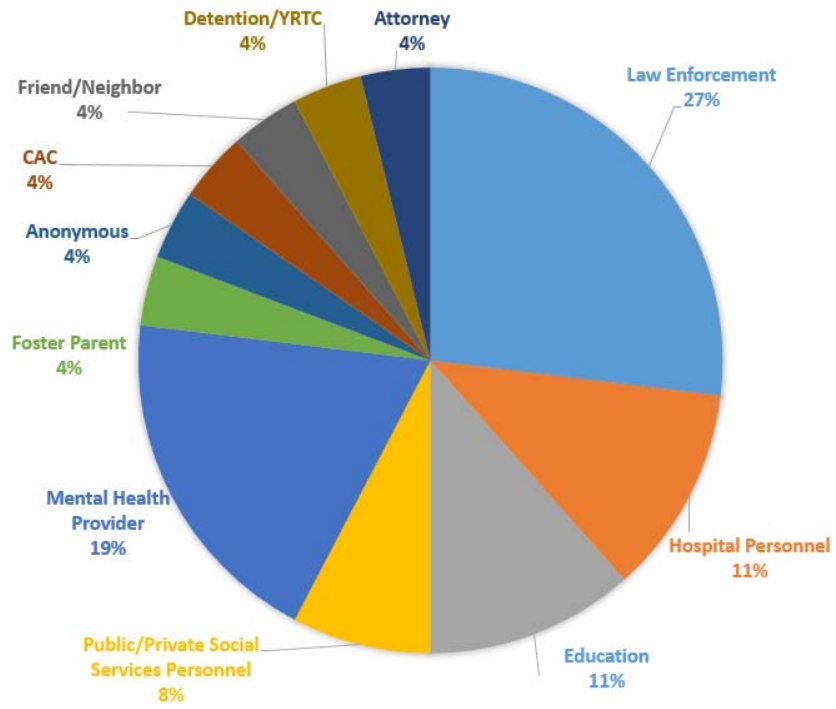


# 2020 Trafficking Reports made to the Abuse and Neglect Hotline (as of April 30, 2020)





# REPORTER



## Normalcy Subcommittee

Felicia Nelsen and Tom McBride, Co-chairs

**Purpose:** To monitor the implementation of the Strengthening Families Act, specifically to review the normalcy plans and reports pursuant to [§43-4706](#).

“Every child placed by the department in a foster home or child-care institution shall be entitled to access to reasonable opportunities to participate in age or developmentally appropriate extracurricular, enrichment, cultural, and social activities.” [Neb. Rev. Stat. §43-4704](#)

**Activities:** This group was reconvened after the implementation of the statutorily required Normalcy Plans and Reports (LB225 in 2017) and to issue a survey in attempt to measure progress since the initial implementation of the NSFA. Since completion of the survey, the Normalcy Subcommittee has continued to meet periodically to review Normalcy Reports.

### Normalcy Plans and Reports:

The SFA Committee assigned the Normalcy Subcommittee the task of reviewing the Normalcy Plans and Reports submitted by child-caring institutions to the Department of Health and Human Services pursuant to [NRS §43-4706](#). The Normalcy Subcommittee reviewed Normalcy Plans and Reports for 12 child caring institution. These child caring institutions provide congregate, non-treatment, placement settings (group homes and shelters) for state wards and youth under the supervision of Juvenile Probation. This component of the Act was passed in 2017 and implemented in child caring institution contracts with DHHS-DCFS in 2018. The Subcommittee collaborated with the Department of Health and Human Services in the development of a standardized format to be used in the reporting process.

During the review, it was noted the statute was not interpreted to apply to congregate treatment settings (psychiatric residential treatment facilities, or treatment group homes). Also, it does not cover child caring institutions which receive placement of state wards or juveniles under contract/voucher by other entities such as PromiseShip and the Administrative Office of the Courts and Probation.

*Additional information about the normalcy requirements across system partners and settings can be found here: <https://tinyurl.com/NormalcyMapping>.*

During the next report year, the Normalcy Subcommittee plans to facilitate a listening session with all agencies who are required to submit normalcy plans to DHHS. The purpose of this listening session will be to gather information about:

1. Individual agencies' process for completing the normalcy reports
2. Ways the Normalcy Committee can provide effective feedback to strengthen normalcy reports
3. Methods for obtaining consistent youth input regarding normalcy activities

## RECOMMENDATIONS

1. Normalcy should extend to youth in care in all systems, including child welfare, juvenile justice, behavioral and mental health, and developmental disabilities. The Committee recommends the statutory requirement for Normalcy Plans and Reports pursuant to §43-4706 be amended to include facilities which provide treatment services as a component of the placement, including treatment group homes and psychiatric residential treatment facilities.
2. Stakeholders should make every effort to make decisions that enhance and maximize normalcy and avoid placements and circumstances that are inherently not normal.
3. Normalcy should extend to youth in care in all systems as appropriate and considering parental preference. The Committee recommends the statutory requirement for Normalcy Plans and Reports pursuant to §43-4706 be amended to include facilities which provide treatment services as a component of the placement, including treatment group homes and psychiatric residential treatment facilities.

# STRENGTHENING FAMILIES ACT COMMITTEE MEMBERSHIP

Member Name	Member Type	Title and Organization	Representation
<b>Vernon Davis</b> (Co-Chair)	Voting	<b>Young Adult Previously in Foster Care</b> , Young Adult Previously in Foster Care	Young Adult Currently or Previously in Foster Care
<b>Sarah Helvey</b> (Co-Chair)	Voting	<b>Child Welfare Program Director / Staff Attorney</b> , Nebraska Appleseed	Child Welfare Advocacy Organization Representative
<b>Payne Ackerman</b>	Voting	<b>Former Foster Youth</b> , Project Everlast	Young Adult Currently or Previously in Foster Care
<b>Deanna Brakhage</b>	Voting	<b>Program Specialist</b> , DHHS, Division of Children and Family Services	Executive Branch Representative
<b>Ashley Brown</b>	Voting	<b>Program Director</b> , Nebraska KVC	Child Welfare Service Agency Representative
<b>Nathan Collier</b>	Voting	<b>Former Foster Youth</b> , Former Foster Youth	Young Adult Currently or Previously in Foster Care
<b>Heather Colton</b>	Voting	<b>Associate Attorney/Guardian Ad Litem</b> , Pollack & Ball, LLC	Guardian Ad Litem who practices in juvenile court
<b>Rebecca Daugherty</b>	Voting	<b>Former Foster Youth</b> , Former Foster Youth	Young Adult Currently or Previously in Foster Care
<b>Patricia Frost</b>	Voting	<b>Education Specialist II</b> , Nebraska Department of Education	Department of Education Representative
<b>Stephanie Gardella</b>	Voting	<b>Program Coordinator</b> , CASA for Douglas County	Child Welfare Advocacy Organization Representative
<b>Ron Giesselmann</b>	Voting	<b>Executive Director</b> , Masonic-Eastern Star Home for Children	Child Care Institution Representative
<b>Brandy Gustoff</b>	Voting	<b>Innovative Growth Leader</b> , Omaha Home for Boys	Independent Living Services Agency Representative
<b>Kim Hawekotte</b>	Voting	<b>Executive Director</b> , Foster Care Review Office	Executive Director of the Foster Care Review Office
<b>Terri Knutson</b>	Voting	<b>Certified Peer Support Provider</b> , Nebraska Family Support Network	Parent Who Has Experience in the Foster Care System
<b>Amara Madsen</b>	Voting	<b>Service Director</b> , CEDARS Youth Services	Child Care Institution Representative
<b>Sara Riffel</b>	Voting	<b>Project Director</b> , Project Everlast	Relevant Professional Practical Experience Representative
<b>Deb Shuck</b>	Voting	<b>Central Service Navigator for the Older Youth System of Care</b> , CAPWN	Agency Providing Independent Living Services Representative
<b>Lisa Story</b>	Voting	<b>Foster Parent Representative</b> , Foster Parent Representative	Current or Former Foster Parent
<b>Bailey Perry</b>	Resource	<b>Transitional Living Manager</b> , Omaha Home for Boys, Jacob's Place	Independent Living Services Agency Representative
<b>Deb VanDyke-Ries</b>	Ex-Officio	<b>Director</b> , Nebraska Court Improvement Project	Judicial Branch Representative
<b>Vacant</b>	Ex-Officio		Legislative Branch Representative
<b>Vacant</b>	Ex-Officio		Juvenile Probation System Representative