

## Nebraska Children's Commission Meeting

August 17, 2021

9:00 a.m. – 1:00 p.m.

Zoom

And

Nebraska State Office Building  
Lower Level Conference Room C  
315 Centennial Mall South  
Lincoln, NE 68508

### 1. Call to Order

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Chair Jeanne Brandner welcomed everyone and called the meeting to order at 9:04 a.m. She asked Adam Anderson to take roll and members to introduce themselves.

### 2. Introductions and Roll Call

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#### *Commission Members Present (9)*

A'Jamal Byndon	Richard Hasty	Felicia Nelsen
Breanna Flaherty	Jessica Hilderbrand	Lana Temple-Plotz
Ron Giesselmann	Terri Knutson (10:00 am)	Melanie Williams-Smotherman

#### *Commission Members Absent (6)*

Beth Baxter	Vernon Davis	Misty Frazier
Jim Blue	Kathy Dinkel	Susan Thomas

#### *Commission Ex-Officio Members Present (6)*

Michele Borg	Jennifer Carter	Senator Patty Pansing-Brooks
Jeanne Brandner	Monika Gross	Deb VanDyke-Ries

#### *Commission Ex-Officio Members Absent (5)*

Stephanie Beasley	Senator Myron Dorn	Senator Lynne Walz
Sheri Dawson	Judge Roger Heideman	

**Roll call was taken, and a quorum was established.**

#### *Guests in Attendance (10)*

Adam Anderson	Nebraska Children's Commission
Laura Opfer	Nebraska Children's Commission
Ivy Svoboda	Nebraska Alliance of Child Advocacy Centers
Chris Triebsch	Office of Senator Patty Pansing-Brooks

#### *a. Notice of Publication*

Recorder for the meeting, Adam Anderson, indicated that the notice of publication for this meeting was posted on the Nebraska Public Meetings Calendar and Nebraska Children's Commission websites in accordance with the Nebraska Open Meetings Act. The publication would 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 sign-in table and on the Children's Commission Website.

### 3. Approval of Agenda

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It was moved by Jessica Hilderbrand and seconded by Richard Hasty to approve the agenda as presented.

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

**FOR (8):**

A'Jamal Byndon  
Breanna Flahery  
Ron Giesselmann

Richard Hasty  
Jessica Hilderbrand  
Felicia Nelsen

Lana Temple-Plotz  
Melanie Williams-Smotherman

**AGAINST (0):**

**ABSTAIN (0):**

**ABSENT (7):**

Beth Baxter  
Jim Blue  
Vernon Davis

Kathy Dinkel  
Misty Frazier  
Terri Knutson

Susan Thomas

**MOTION CARRIED**

*Note that the order of items in the minutes will be reflective of the original agenda*

**4. Approval of Consent Agenda**

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- a. [Approval of June 29, 2021 Meeting Minutes](#)
- b. [Approval of Member Nomination Report](#)

A'Jamal Byndon moved to approve the consent agenda items as presented. Jessica Hilderbrand seconded the motion. No further discussion ensued. Roll call vote as follows:

**FOR (8):**

A'Jamal Byndon  
Breanna Flahery  
Ron Giesselmann

Richard Hasty  
Jessica Hilderbrand  
Felicia Nelsen

Lana Temple-Plotz  
Melanie Williams-Smotherman

**AGAINST (0):**

**ABSTAIN (0):**

**ABSENT (7):**

Beth Baxter  
Jim Blue  
Vernon Davis

Kathy Dinkel  
Misty Frazier  
Terri Knutson

Susan Thomas

**MOTION CARRIED**

**5. Co-Chair Report**

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Chair Brandner allowed Laura Opfer to update the members on the status of the appointment process. Opfer noted that there have been discussions with the Governor's Office. She added that she will again reach out to the Governor's Office to keep them updated with the Commission's membership needs. She will also update current members when there is information to be shared. She encouraged members to reach out with any questions.

## 6. Annual Reports

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Laura Opfer directed the Commission's attention to the annual reports for each of the statutory committees and the Commission's annual report. She highlighted recommendations from each of the reports and provided historical context for the recommendations.

Opfer highlighted the Bridge to Independence (B2i) Committee's recommendation to extend program to certain youth within the juvenile justice population. Opfer noted that Senator Pansing Brooks had introduced legislation to address this recommendation. Senator Pansing Brooks shared that her office had been working hard on this recommendation, and she noted that difficulty making movement with the legislation revolves around ability for oversight. She added that many in opposition do not want those that have been trouble for the state to be benefitted by the state. Senator Pansing Brooks continued, noting that her office is in the process of holding roundtable discussion where youth tell their stories. Melanie Williams-Smotherman commented that she is in support of the Senator's efforts to help youth affected by the system and added that she finds it difficult to find time at the Commission level to address these issues. Senator Pansing Brooks encourage members to reach out if they know of youth that would like to be a part of roundtable discussions and to reach out to Senators regarding these issues. A'Jamal Byndon encouraged a well-balanced focus group, including youth of color and most affected by racial and ethnic disparities within the child welfare and juvenile justice system. Lastly, Opfer finalized her summary of the B2i report by noting the recommendations to better prepare youth for entry to and exit from the program. Williams-Smotherman noted that youth that she has helped did not believe the program goes far enough in supporting youth and that the financial assistance is pulled out from them often leading to homelessness of the youth.

Opfer highlighted the work of the Foster Care Reimbursement Rate (FCRRC) Committee's work in the past year, as noted in the Commission's Annual Report. She discussed the recommendations of rate increases, Treatment Family Care, and adding a fourth tier to Nebraska Caregiver's Responsibilities Tool. Opfer highlighted the 2% rate increases provided by the legislature in 2021 and 2022. Opfer also shared information regarding recent [Stephen Group Report](#) which supported recommendations given by the FCRRC. She noted that although the report was supportive of the work of the FCRRC, the Stephen Group recommended that DHHS look at a consistent tool to be developed across systems to evaluate all youth coming into the foster care system. Felicia Nelsen agreed that the Stephen Group really did validate the hard work of the committee over the last two years. Deb VanDyke-Ries noted one recommendation contained in the Stephen Group report advised more oversight regarding the use of psychotropic medication, and that DHHS does have a Healthcare Oversight Committee that is looking into the use of psychotropic medications for youth that are within the child welfare system.

Opfer shared information from the Juvenile Services (JSC) Committee report. She highlighted the new formation of three workgroups that will be focusing on racial and ethnic disparities, youth rehabilitation and treatment centers (YRTC), and a needs assessment. She noted the work of these workgroups has just begun and detailed recommendations have not been set, but she was hopeful to have more defined recommendations within the next year. Co-Chair of the Racial and Ethnic Disparities (RED) Workgroup, A'Jamal Byndon shared information regarding the work of the workgroup that included developing a map with points along the juvenile justice system that would allow communities to see the racial and ethnic data at each point along the way, starting prior to police contact. Opfer continued, noting the work of the YRTC Workgroup and Needs Assessment Workgroup. Co-Chair of the JSC, Deb VanDyke-Ries thanked Opfer for providing a comprehensive overview of the work of the workgroups and added that the work of the RED Workgroup has been very collaborative with the Juvenile Detentions Alternative Institute's REDI Workgroup to duplicate efforts. Jennifer Carter shared that in the Inspector General's Report of YRTC Geneva, licensing was a recommendation from the report. She added, the YRTC Workgroup looking at accreditation is good; however, accrediting bodies may only inspect a facility every two to three years, and a licensing process can be more immediate when an issue arises. She noted that is an important distinction between accrediting and licensing.

Opfer continued by sharing recommendations from the Strengthening Families Act (SFA) Committee. She highlighted recommendations that would extend normalcy to all youth in care, and the creation of Transition Aged Youth Advocates. Opfer shared that the transition period for youth aging out of the system is a very vulnerable time for youth and that the state is not where it needs to be in that regard. The recommended Transition Aged Youth advocates attempts to address this issue by creating an expert in the field for youth approaching transition as a contact

for each service area to lead other CFS Specialists, much like an Indian Child Welfare Act (ICWA) Advocate does with Tribal youth within the child welfare system. Monika Gross noted that when PromiseShip was still in business they had positions devoted specifically to ICWA and one devoted specifically to educational needs, who both did not carry a caseload. She added that it is possible to do this within budget. Michele Borg noted that DHHS currently has an Education Specialist and Saint Francis has a specialist that splits time between ICWA and the educational piece. Melanie Williams-Smotherman noted that some of the recommendations have been longstanding. She expressed frustrations that nothing has been done for years on many recommendations.

Lastly, Opfer shared information regarding the recommendation of the Alternative Response Advisory Committee. Monika Gross provided information regarding the work of the AR Committee.

Chair Brandner shared her thoughts regarding the annual reports, noting that it is great to see that passion, motivation, and energy behind all the transpiring work. She added, it is very exciting to see Senators take recommendations from the Commission to help move forward and propel the system changes. She noted that the process isn't always easy but thanked everyone for their work.

**Richard Hasty moved to approve the annual reports for the B2i, SFA, JSC, NCC with corrections in spelling and grammar as discussed. A'Jamal Byndon seconded the motion.** No further discussion ensued. Roll call vote as follows:

**FOR (8):**

A'Jamal Byndon  
Breanna Flahery  
Ron Giesselmann

Richard Hasty  
Jessica Hilderbrand  
Felicia Nelsen

Lana Temple-Plotz  
Melanie Williams-Smotherman

**AGAINST (0):**

**ABSTAIN (0):**

**ABSENT (7):**

Beth Baxter  
Jim Blue

Vernon Davis  
Kathy Dinkel

Misty Frazier  
Terri Knutson

**7. Statutory Committees**

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**a. Alternative Response Advisory Committee**

Monika Gross shared information regarding the upcoming meeting on September 3, 2021. She added that the AR Committee is looking to add a member with representation as a caregiver.

Chair Brandner thanked Monika Gross and Susan Thomas for co-chairing the AR Committee as it gets started.

**b. Foster Care Reimbursement Rate Committee**

Co-Chair Felicia Nelsen shared that the FCRRRC will be meeting with DHHS regarding more information from the Stephen Group Report in the coming week, and then looking to meet more frequently to be looking for and doing more starting later this year.

**c. Strengthening Families Act Committee**

Co-Chair Jessica Hilderbrand noted nothing additional to report out.

**d. Juvenile Services Committee**

Co-Chair Deb VanDyke-Ries noted that the JSC is looking for representation, specifically a defense attorney and a judge representative.

**e. Bridge to Independence Advisory Committee**

Chair Brander reminded the Commission regarding the previous discussion regarding B2i. She noted that as the former Co-Chair of the B2i Committee, its work is very near and dear to her heart. She thanked Vernon Davis for his leadership on the Committee. She noted that although the extension of B2i to youth aging out of the juvenile justice system has encountered some roadblocks, she was hopeful that it would continue to move forward and expand into other populations. Laura Opfer noted that Vernon Davis will be stepping down from the B2i Committee and Commission as he has been selected to serve on the African American Commission.

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**8. DHHS Update: Stephen Group Report**

Chair Brandner noted the absence of staff from DHHS to discuss the Stephen Group Report but added that Laura Opfer had covered much of the related material in her discussion of the Commission's annual report. Brandner encouraged those with questions to reach out to Felicia Nelsen or members of the FCRR.

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**9. Public Comment**

Chair Brandner opened the floor for public comment. There was none.

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**10. New Business**

Senator Pansing Brooks shared information regarding upcoming legislation. She encouraged letters of support. She shared information regarding the juvenile right to counsel legislation passed. She shared information regarding the 988 Mental Health Support line, that would direct resources to mental health services rather than immediately notifying law enforcement when there is a mental health emergency. Pansing Brooks added information regarding juvenile court case transfers. Lastly, she shared information regarding the YRTC Special Committee and its upcoming work in the fall. Melanie Williams-Smotherman shared that she was on the original core group of stakeholders in 2010 that helped revise the truancy laws, and she hoped to bring efforts of support to the Senator's upcoming legislation. Williams-Smotherman continued by discussing juvenile court transfers and troubles within the Juvenile Court System.

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**11. Upcoming Meeting Planning**

October 19, 2021

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**12. Adjourn**

The meeting adjourned at 11:10 a.m.

Respectfully Submitted,  
Adam Anderson