Nebraska Children's Commission 2016-2017 Strategic Plan



Pursuant to Neb. Rev. Stat. §43-4204

Vision

Improve the safety and well-being of all children and families in Nebraska.

Nebraska Children's Commission History

The Nebraska Children's Commission ["Commission"] was created by the Nebraska Legislature as a high level leadership body to create a statewide strategic plan for reform of child welfare and juvenile justice programs and services and provide a permanent forum for collaboration among state, local, community, public, and private stakeholders in child welfare and juvenile justice programs and services. The Legislature extended the Commission's sunset date in 2013, and again in 2016 with LB746, signed into law by Governor Pete Ricketts. The collective institutional and subject matter knowledge of the Commission membership is critical to improve the child welfare and juvenile justice systems, maximize and efficiently utilize funding, and improve the safety and well-being of all children and families in Nebraska.

Commission Strategic Planning

The Commission released its first Strategic Plan in 2012, which detailed the Commission's vision and goals. In 2014, the Commission revisited the Strategic Plan to update its progress. This Strategic Plan reviewed the existing plan and created goals and action steps to take the Commission through 2017. The Plan begins with the Commission's assessment of the current child welfare and juvenile justice environment and consideration of Nebraska's strengths. The Commission then lays out its overall vision, identifies the goals and priority areas of focus for FY17, addresses the statutory requirements of the Strategic Plan, and creates an action plan for the Commission's internal functions. For additional detailed information about the structure and individual subgroups of the Commission, please see the Commission's 2016 Annual Report.

Key trends, forces, players, drivers, challenges, innovations and ways of thinking that are impacting Nebraska's child welfare and juvenile justice systems								
HORIZON	EMERGING SWELL	CREST	TROUGH					
Ideas and Issues Beginning to Appear	Ideas and Issues gaining energy	Status Quo, SOP Ideas	No Longer Relevant					
Family focused case management	Mental and physical health integration	Focus on kinship and relative Care	Punitive focus of Juvenile Justice					
Increase in parental substance abuse (methamphetamine and opioids)	MIS integrated data system	Establishment of collaborative structures	High bar for parenting					
Trafficking awareness	Changes in institutions and YRTCs	DHHS is collaborative	Silos					
High numbers of youth suicide	Shared parenting Collective Impact - State and	In home and voluntary services						
Impact of gang involvement and gun violence on families and communities	community involvement	CPS Hotline #						
Increased movement between judicial and	Foster parent association and birth parent group collaboration	Alternative Response						
social services Domestic violence	Use of technology in remote areas	Trauma informed practice B2i						
Low graduation rates for foster care and special populations	Real progress not incremental sameness	Public private partnerships						
Strengthening Families Act	Data sharing	Evidence based practices						
Heritage Health	Real time data	Caseworker training						
Revenue shortfall	Education focus Mental health in schools	Family finding Facilitated Conferencing						
Legislative term limits	Child welfare workforce retention and	Results Based Accountability						
Workforce changes - Federal Department of Labor Regulations	recruitment	Attention to lawmakers						
State increase in minimum wage	Prevention as a priority	System of Care						
		Juvenile justice community services						
		Changes in political situation						
		Foster care						

State of Nebraska Strengths

Nebraska's Government Structure

Unicameral Legislature allows for more expedient consensus building and timelier action on emerging issues

Non Partisan Legislature allows legislators to act independently and represent their constituents' needs without outside party pressure.

Merit judicial selection systems allows judges to function as independent, neutral decision makers.

Stakeholders

The integrity and ethics of Nebraska's leadership allows for trust amongst stakeholders and creates trust between leadership and citizens.

Longevity of leadership provides a stable base for growth and continuous improvement in Nebraska's systems.

Environment and State Characteristics

Economic diversity has protected the state from some of the effects of national financial downturn.

Economic stability allows families to access stability and quality.

Access to clean air and water keeps families healthy and free from struggle for basic needs.

Welcoming and inclusive communities enjoy the cultural and economic diversity that comes with immigration and diverse populations.

Low cost of living makes it easier for families to access a high quality of life and offers some protection from risk factors associated with poverty.

Relatively large number of hospitals and medical providers give Nebraskans access to and options for health care.

Education

Strong public schools system gives each child the opportunity to succeed, regardless of income level.

Relatively high graduation rate allows youth to thrive and achieve in their futures.

Strong community college system makes higher education and job skills more attainable and affordable for youth.

Characteristics

Nebraskan's patriotic spirit and pride in their communities shows in the community engagement and involvement that benefits families and children.

Nebraskans also display humility, teamwork, and practical problem solving, which allows them to come together and work to solve the difficult issues facing children and families.

Philanthropy

Strong faith based community brings people together to make a difference in their communities.

Strong tradition and practice of philanthropy provides funding and resources for the many organizations working to make a difference for children and families.

Strong non-profit and service provider community provides resources to children and families.

Funder support for infrastructure for collaboration allows for long-term development and sustainable resources in Nebraska.

Vision Question: What do we want our collective action to create by 2017?								
Consistent, stable,	Family driven,	Transparent system	Community ownership	Timely access to	Technological	Measured results		
skilled workforce	child focused	collaboration with	of child well being	effective services	solutions to	across systems of		
serving children and	and flexible	shared partnerships			information	care		
families	system of care	and ownership			exchange			
Caseworker	Children and	Families and systems	Public and private	Families and children	All systems	Financial efficacy is		
retention is highest	youth receive	have a team	stakeholders and	receive timely and	communicate	best in the country		
in country	services in their	approach	systems partner	effective services	effectively and			
	homes				openly	Public and private		
Educated,		All elements of the	Communities are an	Evidence based		funding sources are		
experienced	Flexible, creative	system share a vision	important part of the	practices are a	Shared	fully utilized		
professionals in all	responses to		system of care	priority	information			
parts of system	individuals	All system			system	System		
		stakeholders	Families/children	Services match the		involvement		
Caseworkers are	Child Welfare	collaborate	receive early	needs of	Information is	improves the well-		
single, stable point of	and juvenile	effectively	intervention	families/children	used to	being of children		
contact for families	justice systems				connect			
	are focused on	Factors that lead to	The importance of	The service array	families and	Decision making is		
Case leadership with	the whole family	family challenges are	primary and	includes timely and	children with	data-driven		
accountability		viewed through a	secondary prevention	consistent services	resources and			
	Shared resources	systemic lens	services is recognized	for families at risk	services	The system has		
Judicial and legal			and made a priority			both quality and		
resources available	Current	Stakeholders and	for resources and	Services are available		accountability		
	infrastructures	families make shared	services	statewide and				
Caseworkers are	are built upon	decisions		immediately				
social workers, with	and linked to		All community					
social work	focus on children	The system has both	members take	There is no wrong				
education and	and families	quality and shared	ownership of child	door to access				
experience		accountability	well-being	needed services				
Leadership								

2016-2017 Goals and Priorities

The Commission identified five broad goal statements and developed strategic recommendations and action steps for each goal.

- **Child Welfare Workforce** Foster a consistent, stable, skilled workforce serving children and families.
- **Prevention** Encourage timely access to services, with a focus on prevention services, through community ownership of child well-being.
- **Data and Technology** Utilize technological solutions to information exchange and ensure measured results across systems of care.
- **System of Care** Support a family driven, child focused, and flexible system of care through transparent system collaboration.
- **Legal Parties** Support the practice of juvenile law through the professionalization of juvenile practice, clarification and enhancement of legal party roles.

Child Welfare Workforce

Goal: Foster a consistent, stable, skilled workforce serving children and families.

Strategic Recommendations

- Benchmark the state with the lowest caseworker turnover.
- Develop plan for retention of frontline staff/caseworkers.
- Assess and address morale and culture.
- Address education and training for staff.
- Clearly define point person and roles of all working with children and families.
- Conduct comprehensive review of caseworker training and curriculum.
- Develop pilot project (urban and rural) for Guardians ad Litem.
- Hire and adequately compensate well-trained professionals.
- Define and enhance roles of visitation and YRTC workers.

- 1. Accomplish the Commission's statutory mandates by:
 - a. Performing salary comparisons with other states,
 - b. Utilizing incentives for persons who work in the area of child welfare,
 - c. Evidence based training requirement, and
 - d. Collaborating with the University of Nebraska.
- 2. Create strategies with DHHS to recruit and retain caseworkers.
- 3. Identify leadership and involve NAPE/Union, DHHS Human Resources, DAS, private sector human capital development, and DHHS caseworkers in the Commission's work.

- 4. Determine key indicators as a measureable goal, determine a baseline and monitor progress through use of agreed upon data points.
- 5. Listen to and support DHHS and Probation.
- 6. Partner with Commission Committees.
 - A. Psychotropic Medications Committee will identify training for case workers related to psychotropic medications
 - B. Bridge to independence Committee will identify training on evaluating youth life skills.
 - C. Legal Parties Taskforce will train attorneys on expectations for caseworkers.

Prevention

Goal: Encourage timely access to services, with a focus on prevention services, through community ownership of child well-being.

Strategic Recommendations

- Identify, promote and achieve broad support for key elements for successful families.
- Map available data for resources, gaps, needs and services.
- Build State level infrastructure for prevention with integration and blended funds.
- Strengthen and expand community collaboratives.
- Raise visibility and encourage dialogue.
- State level collective impact group.
- Identify child well-being outcomes and indicators.
- Invest in and promote prevention.
- Legislation that promotes and funds prevention.
- Increase Community Response target communities from six to twelve.
- Translation of data elements to be useful to communities.
- Address barriers that were identified by communities.
- Continue to work on model.
 - o Engaging schools, focus on prevention, special populations.
- Establish a clear understanding of how successful prevention efforts across the state support the Alternative Response Program.
- Document successful prevention efforts underway in communities across the state.

- 1. The Commission recognizes that prevention work must be done in communities and commits to support that work with the following action steps:
 - a. Highlight successful community prevention efforts.
 - b. Collect and distribute information on the impact of prevention on communities.
 - c. Collect and distribute data about prevention efforts and child well-being.
- 2. Identify barriers to prevention services and make recommendations to remove

barriers.

- 3. Utilize back end funding for prevention efforts.
- 4. Collaborate with DHHS to address restrictive Alternative Response criteria.
- 5. Provide supports for community grant writing.
- 6. Create recommendations to institutionalize community level prevention efforts
- 7. Support a collective impact approach to prevention in communities
- 8. System of Care and Workforce workgroups monitor and respond to efforts to make prevention a priority.
- 9. The Community Ownership of Child Well-being workgroup is this goal's champion.

Data and Technology

Goal: Utilize technological solutions to information exchange and ensure measured results across systems of care.

Strategic Recommendations

- Create an appropriations schedule utilizing system design.
- Explore University expertise for data analysis.
- Reach agreement of population outcomes and indicators.
- Develop common data systems and standards with external data mining.
- Design data systems for integration, coordination, and accessibility.
- Monitor whole population measures, not specific measures.
- Develop frameworks for data dashboard for Commission.
- Identify technological solutions to produce data for the dashboard.
- Increase amount of juvenile justice data available to the public.
- Support Nebraska's migration from the Children and Family Services Review (CFSR)
 Round 2 measures to the CFSR round 3 measures.

- 1. Utilize lessons learned from the LB265 data pilot initiative.
- 2. Establish and utilize a process for subgroups to identify and communicate data needs to the Data, Technology, Accountability and Reporting Workgroup.
- 3. Continue to receive education about data, trends and analysis.
- 4. Achieve its statutory mandate to identify the type of information needed for a clear and thorough analysis of progress on child welfare indicators through the following action steps:
 - a. Agree on the purpose of the indicators.
 - Identify long-term indicators that allow future legislators and stakeholders to determine the success and efficacy of child welfare and juvenile justice reform measures.

5. Identify gaps in data, determine barriers to data collection, and create recommendations to minimize gaps in needed data.

System of Care

Goal: Support a family driven, child focused and flexible system of care through transparent system collaboration with shared partnerships and ownership.

Strategic Recommendations

- Develop shared commitment to the system of care, including trauma informed response.
- Invest in prevention.
- Develop differential response system.
- Identify model for collaboration and cooperation.
- Develop team-based approach for decision making.
- Realign operations to support trauma informed system of care.
- Develop educated system partners and include oversight.
- Influence implementation of alternative response.
- Actively participate in the implementation of the System of Care strategic plan.
- Legislation to invest resources in prevention.
- Education to action.
- Family centered practice, family driven and youth guided, trauma informed care at all levels of system care.

- 1. Engage actively in Division of Behavioral Health System of Care implementation to ensure that child welfare and juvenile justice are front and center, and enhance collaboration and communication between systems and agencies. [DHHS submitted a SAHMSA (Substance Abuse and Mental Health Services Administration) grant to implement the System of Care strategic plan and has been awarded \$3 million annually for the next four years, beginning on September 30, 2016.]
- 2. Evaluate the feasibility of utilizing performance-based contracting for specific child welfare services, including the feasibility of additional contractual requirements for service providers requiring services to all children without an option to deny service.
- 3. Collaborate with the Division of Behavioral Health on a shared plan for a system of care that includes goal driven and outcome based services in child welfare.
- 4. Ensure that the System of Care plan includes the Commission's elements of a seamless system of care, on page 12.
- 5. Recommend that the Legislature add the position of Director of the Division of Behavioral Health as an ex-offico member of the Commission.

Legal Parties

Goal: Support the practice of juvenile law through the professionalization of juvenile practice, clarification and enhancement of legal party roles.

Strategic Recommendations

- Enhance and professionalize the practice of juvenile law.
- Evaluate and clarify the roles and responsibilities of legal parties.
- Encourage professionalism and attainment of key competencies in juvenile practice.
- Establish juvenile court practice as a desired career path for attorneys.
- Research and evaluate the Juvenile Code, conflicting jurisdictions, and court structure.
- Promote juvenile court practices that are rehabilitative for families and children.

Work plan to Achieve Goal

- 1. Enhance the professionalism of the legal parties within juvenile court through the evaluation of the roles and responsibilities of legal parties
- 2. Encourage professionalism and attainment of competencies in the practice of juvenile law by:
 - a. Increasing the amount of juvenile practice specific trainings available to legal parties and other system stakeholders,
 - b. Encouraging the Supreme Court of Nebraska to require dedicated Continuing Legal Education (CLE) hours for all attorneys who practice in juvenile court, and
 - c. Researching the legal education in law schools provided to students with interest in pursuing careers in juvenile practice.
- 3. Research and evaluate solutions to the problems posed by conflicting jurisdiction between the district and juvenile court, including the feasibility of implementing a unified family court system in Nebraska or codification of the holding of *In Re Stephanie H.*, 10 Neb. App. 908, 639 N.W.2d 668 (2002).
- 4. Review data regarding the timeliness of adjudication hearings and appeal process in Nebraska, and other states' processes for possible improvement.

Strategic Plan Statutory Assignments

Lead Agencies

The legislature tasked the Commission with considering the potential of contracting with private nonprofit entities as lead agencies as a part of the Strategic Plan. The practice of utilizing a lead agency is commonly referred to as "privatization." In the context of child welfare reform, privatization is often used to refer to the transfer of case management responsibility from the state to a private entity.

At the time of the writing of this strategic plan, the Eastern Service Area (Douglas and Sarpy Counties) utilizes the lead agency model. However, in April of 2010, the Department of Health and Human Services had implemented five contracts with lead agencies, and by October of the same year, three of the five contractors had terminated the contracts. This was the result of an abbreviated timeline for implementation and a lack of strategic planning for lead agency service coordination and privatization.

Following this experience with privatization, the Legislature undertook a legislative study on the effects of privatization on child welfare, LR37, which sets forth three primary findings related to contracting with a private nonprofit entity as a lead agency:

- 1. Child welfare reform is not synonymous with privatization, neither is privatization synonymous with child welfare reform.
- 2. Privatization is a tool, not an end in itself, to child welfare reform.
- 3. The success of states and communities in addressing child welfare is primarily predicated on ensuring that all three branches of government are involved in the development of a strategic plan and an implementation plan prior to initiating contracting with statewide lead agency.

The Commission began its statutory task related to considering the potential of lead agencies by creating the Lead Agency Taskforce, which met regularly to create recommendations. The group identified the components of an ideal child welfare system, a seamless system of care, and how a lead agency could be utilized in that context, along with broad summary recommendations.

Lead Agency Broad Summary Recommendations

- 1. The Lead Agency Taskforce believes the lead agency model can be effective if the seven components of a seamless system of care are present.
- 2. Those in authority for determining whether lead agencies will be utilized should consider the broader issues of whether or not Nebraska should delegate child welfare responsibilities.
- 3. Case managers and supervisors are the foundation of the child welfare system.

Seamless System of Care Components

- 1. **Outcomes and Accountability.** Identify and agree upon clearly defined outcomes. This includes mechanisms to hold stakeholders accountable for achieving or not achieving the identified outcomes.
- 2. **Clarification of Roles and Responsibility.** Clarify roles and responsibilities for each specific position, agency, and stakeholder. Effective relationships are fostered when individuals understand and respect their own and each other's roles. Roles should be designed to serve children and families as efficiently as possible.
- 3. Quality Case Management Workforce. Recognize caseworkers and supervisors as the backbone of the system. Caseworkers serve as representative to other systems, including the court. The workforce includes a component of quality oversight of caseworkers and case managers who serve as representatives to other systems, including the court.
- 4. **Trust.** A seamless system of care must include trust supported by follow through, consistency, and champions for the child and family. Families, judges, attorneys, providers, caseworkers, and all stakeholders must trust each other and the system.
- 5. **Adaptive and individualized to Children, Families, and Communities.** The system must effectively address the unique needs and enhance existing strengths in children, families, and communities.
- 6. **Coordinated and Flexible Service Delivery Model.** The case manager is a primary representative to the child and the family, ensures the child receives services designed to meet their individual needs, and assist the family in accessing needed services. Service providers need the flexibility to provide the necessary services without interruption or delay. The system as a whole needs the ability to modulate the services within it.
- 7. **Singular Data Repository/Warehouse.** Timely and accurate information must be the basis for decisions throughout all levels of the child welfare system. The system needs mechanisms, including a singular data repository/warehouse, that allow for the gathering, tracking, analyzing, and sharing of essential information quickly.

Structure and Operation of Health and Human Services

One of the primary statutory tasks of the Commission has been to review the operations of the DHHS child welfare programs and identify options for attaining the statutory intent of 43-4201, either by establishment of a new division within the department or establishment of a new state agency to provide all child welfare programs and services which are the responsibility of the state.

The Commission has received regular updates and information on the operations of DHHS as it related to child welfare programs, as well as other initiatives, including behavioral health, developmental disabilities, Medicaid, and economic assistance.

The Commission undertook a review of research on the structure of Health and Human Service Agencies in other states, and identified four structures for Health and Human Services Agencies.

Children's Departments are agencies that serve only children and youth. These structures provide traditional child welfare services such as foster care, child protection, youth services, and children's mental health services.

Public Welfare Departments provide child welfare services and economic and income support services. Sometimes these departments will offer at least one other service, such as services for the aging, that are not directly related to the other programs in the department.

Social Services Departments provide services for adults and children, but not income support programs.

Umbrella Departments combine the services offered in the previous three models with other social and economic services. An umbrella department can hold all or most of the social and economic service programs offered by a state.

Nebraska's Department of Health and Human Services is an umbrella department, meaning that the Department provides most social and economic support services. The Department holds six divisions, which include the Divisions of Behavioral Health, Children and Family Services, Developmental Disabilities, Medicaid and Long-Term Care, Public Health, and Veteran's Homes. A CEO appointed by the governor heads the Department and Directors, also appointed by the governor, head each of the six divisions. The Directors are responsible for administering the responsibilities of their divisions.

A review of research on the comparative benefits of various Health and Human Services agency structure revealed that structural reorganizations are often costly, disruptive to service provision, and are not necessarily linked to improved outcomes for children and families. Stakeholders must carefully plan and slowly implement reorganization. Changes in structure work best when combined with reform efforts or necessary to accomplish

already identified goals and outcomes.

Restructuring usually entails dividing or merging existing health and human services. Since Nebraska currently has an umbrella structure, restructuring would likely entail dividing the existing agency. The benefits to dividing include increased accountability and flexibility, while disadvantages include duplicated services and staff roles, lack of interagency cooperation, and competition between agencies for fiscal resources. Ultimately, no one structure is linked to improved outcomes for children and families, and restructuring is often costly, taking funding, staffing and focus away from program innovation and improvement.

The key to improving outcomes and achieving true reform is in leadership, no matter how an agency is structured.

Additional Strategic Plan Statutory Requirements

1. Consider realignment of service areas designated pursuant to section 81-3116 to be coterminous with the judicial districts described in section 24-301.02. [Neb. Rev. Stat. §43-4204(1)(c)]

Status: LB961 directed DHHS to realign the Western, Central, and Northern Service areas to be coterminous with the District Court Judicial Districts.

2. Facilitated Conferencing shall be included in the strategic plan discussions. [Neb. Rev. Stat. §43-4203(3)]

Status: The Commission is committed to promoting the use of facilitated conferencing and provided legislative testimony in support of LB1083 regarding the use of facilitated conferencing.

3. Each service area shall develop its own unique strategies to be included in the statewide strategic plan. The Department of Health and Human Services shall assist in identifying the needs of each service area. [Neb. Rev. Stat. §43-4203(1)]

Status: The Commission regularly receives updates on the needs and strategies of each service area. Representatives from the DHHS participated in the strategic planning and contributed strategies from the service areas.

4. The Commission shall consider [...] the potential of contracting with private nonprofit entities as a lead agency. [Neb. Rev. Stat. §43-4204(1)(a)]

Status: See section titled Lead Agencies on page 11 for more information.

5. In developing the statewide strategic plan, the Commission shall consider [...] provision of leadership for strategies to support high-quality evidence-based prevention and early intervention services that reduce risk and enhance protection for children. {Neb. Rev. Stat. §43-4204(1)(b)]

Status: Prevention is a priority in the 2016 Strategic Plan. The Commission receives reports from DHHS Divisions and Probation regarding the use of evidence based practices.

- 6. In developing the statewide strategic plan the Commission shall consider [...] identification of the type of information needed for a clear and thorough analysis of progress on child welfare indicators. [Neb. Rev. Stat. §43-4204(1)(d)]
 - **Status:** Data and Technology is a priority in the 2016 Strategic Plan. The Data, Technology, Reporting, and Accountability workgroup has identified the Children and Family Services Review (CFSR) measures as the necessary indicators. DHHS reports on these indicators on a quarterly basis.
- 7. The commission shall review the operations of the department regarding child welfare programs and services and recommend, as part of the strategic plan, options for attaining the legislative intent stated in section 43-4201, either by the establishment of a new division within the department or the establishment of a new state agency to provide all child welfare programs and services which are the responsibility of the state. [Neb. Rev. Stat. §43-4204(3)]

Status: See page titled Structure and Operation of Health and Human Services on page 13 for more information.

Commission Internal Action Plan

The Commission will work to improve its internal function and to maintain a diverse membership with key systems representatives. The Commission's action steps are listed below:

- 1. Reconvene the Structure Taskforce and assign the following action steps:
 - a. Create a process for subgroup accountability for creating and delivering recommendations and work products;
 - b. Policy and procedure for Commission testimony at legislative hearings;
 - c. Create a communications plan to enhance Commission visibility in the community, within the three branches of government, and other stakeholders;
 - d. Create a communications plan to enhance the relationship between the Commission and its many subgroups;
 - e. Examine status of current subgroups and determine if the structure is the most efficient, or if some groups can be moved to inactive status or combined with other groups;
 - f. Recommendations to the legislature about the continued work and mandates of statutory committees to improve their function.
- 2. Establish a process to bring the chairs of the Commission groups together at a meeting, and the frequency, purpose, and goal of the meeting.

- 3. Establish regular educational events for Legislators to provide information and recommendations related to the child welfare and juvenile justice systems and emerging issues.
- 4. Establish a process or group to review Nebraska's Open Meeting Act to create recommendations related to that section for improved Commission functioning.
- 5. Move informational reports to the consent agenda to allow more time during meetings for deliberating and taking action.

Commission Membership

Commission members come from a diverse array of organizations, geographical area, background and expertise. The Commission's members are its greatest asset, and without their collective knowledge, experience, and collaboration could not meet its mandates and create improvements in the child welfare and juvenile justice system. Though Commission membership has experienced changes since its creation in 2012, it has remained a dynamic and collaborative body with the ability to work together to improve the well-being of children and families in Nebraska. A current membership listing is available at Appendix A.

Recommendations for Commission membership:

- Recommend to the Legislature that ex officio membership should include the
 director of the Department of Health and Human Services Division of
 Behavioral Health. The inclusion of this position will help the Commission meet its
 statutory duty to create a system of care for the child welfare system.
- 2. The Commission requests that representatives from the Division of Public Health and the Division of Developmental Disabilities attend Commission meetings when relevant as resources.