

S.9 / ACT 60 IMPLEMENTATION

Early September 2015

Department for Children and
Families Family Services Division

PRIMARY AREAS OF CHANGE

- ▶ Child Abuse Definitions
- ▶ Collaboration with Law Enforcement
 - ▶ SIU mandatory investigations
 - ▶ Notification of incidents
- ▶ Mandated Reporter Statute
 - ▶ Reporting standard
 - ▶ Removal of “cause a report to be made”

PRIMARY AREAS OF CHANGE

- ▶ Information Sharing
 - ▶ Redacted Investigation Files
 - ▶ Sharing of Records
 - ▶ “Information” Sharing
- ▶ CHINS Proceedings
 - ▶ New Best Interests Standard
 - ▶ Elimination of Custodial Hierarchy

PRIMARY AREAS OF CHANGE

- ▶ Enforceable Post Adoption Contact Agreements
- ▶ Access to Criminal Background Records
- ▶ Services and Supervision Post Reunification in Home of Removal
- ▶ Other

VISIT DCF FAMILY SERVICES WEB PAGE:

- ▶ Policies
- ▶ Promulgated Rules
- ▶ Brochures
- ▶ Annual State Plan (required by federal statute)
- ▶ Reports from federal reviews
- ▶ Program Improvement plans
- ▶ 2014 System Reviews and Responses
- ▶ Resources for Mandated Reporters (new)

CHILD SAFETY POLICIES EFFECTIVE 7/1/2015

POLICY 50 – REVISED/NEW DEFINITIONS

Revised	New
Incest	Child Pornography
Risk of Harm	Lewd and Lascivious Conduct
	Luring
	Sex Trafficking of Minors
	Molestation
	Obscenity
	Serious Physical Injury
	Sexual Act
	Sexual Assault
	Voyeurism

51 – SCREENING REPORTS (REVISED)

- ▶ Updated to reflect Act 60 language and definitions adopted/outlined in Policy 50.
- ▶ Clarifies that Centralized Intake notifies mandated reporters if a report is not accepted for intervention and districts notify about accepted reports.

52 – CHILD SAFETY INTERVENTIONS (REVISED)

Content	Pg. #	New or Revised
Social Worker Contact with Mandated Reporters	3	Revised
Report to Law Enforcement	3	New
Case with no identifiable victim	8	New
Sharing information with mandated reporters with ongoing working relationship with child/family	15	New
Data tracking for law enforcement notification	15	New

56 – SUBSTANTIATING CHILD MALTREATMENT (REVISED)

- ▶ Updated to carry forward sexual abuse definitions from Policy 50 and 51.

58 – CHILD SAFETY INTERVENTIONS WITH NO IDENTIFIED VICTIM (NEW)

Provides a streamlined approach to child safety interventions when there are no children or no identified children, e.g.:

- a) No children -- Luring when “victim” is police officer impersonating a child;
- b) No identifiable children -- Possession of child pornography.

I 57 – INFORMATION SHARING (NEW)

Information Sharing –Informs staff about what information must be shared with whom, at what time:

- a) Redacted Investigation Files – also provides guidance on redacting.
- b) Records
- c) Information

COLLABORATING WITH LAW ENFORCEMENT

REQUIRED NOTICE

Before Act 60	Added as of 7/1
<p>1) investigations of child sexual abuse by an alleged perpetrator 10 years of age or older;</p> <p>(2) investigations of serious physical abuse or neglect requiring emergency medical care, resulting in death, or likely to result in criminal charges</p> <p>(3) situations potentially dangerous to the child or Department worker</p>	<p>An incident in which a child suffers:</p> <ul style="list-style-type: none">• A serious bodily injury;• Lewd and lascivious conduct with child;• Human trafficking;• Sexual exploitation of children;• Sexual assault;

IMPLEMENTATION OF NEW REQUIREMENTS

- ▶ Additional requirements not just for accepted reports – includes allegations that we do not accept. E.g. allegations of a child being physically assaulted by a neighbor, which is not in DCF's purview. This could result in many new reports to law enforcement.
- ▶ Meetings held with SIU Policy Board to discuss approaches that work for DCF & SIUs – preferably supported by automation.
- ▶ SIUs concerned about overload.
- ▶ Currently pursuing IT solution - Supervisors who screen intakes would identify which allegation falls under SIU purview. Those intakes will be sent to the appropriate SIU/law enforcement agency in batches.

MANDATED REPORTING

MANDATORY REPORTING

- ▶ Standard for reporting changed from “reasonable cause to believe” to “reasonably suspect” – we have long trained this.
- ▶ Duty to report has changed from “report or cause a report to be made” to “report”. This means that the reporter has an individual responsibility to make the report.
 - ▶ Mandated reporters have many questions and concerns about this.

ACTIVITIES SINCE 7/1/2015

- ▶ Memo to mandated reporters disseminated widely in early July.
- ▶ Family Services website has new page just for mandated reporters.
- ▶ All web content and brochures have been reviewed.
 - ▶ Web content revised.
 - ▶ Brochure revision is process.
- ▶ New on-line mandated reporter training expected to be available in October 2015.

CHINS PROCEEDINGS

TEMPORARY CARE ORDER AND CUSTODIAL HIERARCHY

- ▶ Statue changed to incorporate “best interest of child” standard throughout – replacing “contrary to the welfare” standard.
- ▶ Custodial hierarchy is eliminated.
 - ▶ All of the same options are available to the judge;
 - ▶ However, the judge choses the best option based on the best interests of the child.
- ▶ These changes have little impact on the responsibilities of DCF social workers in CHINS proceedings.

ENFORCEABLE POST ADOPTION CONTACT

ENFORCEABLE POST ADOPTION CONTACT AGREEMENTS

- ▶ Only available if:
 - ▶ Child is in DCF custody
 - ▶ Parent will voluntarily surrender their parental rights.
 - ▶ Parents & intended adoptive parents enter agree.
 - ▶ DCF agrees that it is in the child's best interest.
- ▶ Not like visitation agreements in a divorce or parentage proceedings.
- ▶ Wide range of options can be considered – from the anonymous exchange of information through the Vermont Adoption Registry, to in-person contacts (supervised or not).

IMPLEMENTATION TO DATE

- ▶ Two documents disseminated in early July, developed in collaboration with the Judiciary, with input from others:
 - ▶ Post-Adoption Contact Agreement Template
 - ▶ Information Sheet and guidance for DCF Family Services staff
- ▶ To be developed:
 - ▶ DCF Family Service Policy
 - ▶ Brochures and web content for parents and intended adoptive parents.
- ▶ Only 3 agreements have been entered into to date.

ACCESS TO VERMONT CRIME INFORMATION CENTER DATA

- ▶ So far, exploratory conversations.
- ▶ In the meantime, FSD has access to:
 - ▶ Corrections case management system
 - ▶ Vermont Court docket sheets.

REUNIFICATION PRACTICE

SERVICES & SUPERVISION POST REUNIFICATION

- ▶ Draft policy (out for comment) would require:
 - ▶ Case plan amended to establish a reunification support & monitoring plan when child will be reunified to home in which he/she was abused or neglected.
 - ▶ Case plan filed with court with request for hearing to consider “step down” to conditional custody order to parent, based on child’s best interest;
 - ▶ Allows parents decision-making authority for medical, educational & other purposes, but mandates services;
 - ▶ Petition to discharge full custody to parent circulated at end of 6 month period, assuming home situation remains safe.

SEC 20 – DCF POLICIES

Requirement	Action
Policies, procedures, & practices are consistent with the best interests of the child & are consistent with statute.	Ongoing
Policies, procedures, & practices are consistent with each other & are applied in consistent manner in all regions	Ongoing operational oversight; quality case review. Identified discrepancy in rules will be resolved when rules revised.
Ensure consistent sharing of information among treatment providers, courts, State's Attorneys, guardians ad litem, law enforcement, & other relevant parties in a manner that complies with statute.	New policy, ongoing operational oversight; quality case review; Justice for Children Task Force.

Requirement	Action
Encourage treatment providers & all agencies, departments, & other persons that support recovery to provide regular treatment progress updates	Joint all-day meeting between FSD and preferred providers to be held 9/17/2015 to focus on collaboration.
Ensure that courts have all relevant information in a timely fashion, and that Department employees file paperwork and reports in a timely manner.	Policy already requires. With the sharp increase in court-involved cases, this is an ongoing challenge.
<p>FSD assesses a child's safety if:</p> <ul style="list-style-type: none"> (i) the child remains in a home from which other children have been removed; or (ii) the child remains in the custody of a parent or guardian whose parental rights as to another child have been terminated. 	Policy revision in process. Question has arisen about time frame.

Requirement	Action
Improve information sharing with mandatory reporters who have an ongoing relationship with a child.	Policy revised
Ensure that mandatory reporters are informed that any confidential information they may receive cannot be disclosed to a person who is not authorized to receive that information;	New training; new web content; revised brochure.
Ensure all parties authorized to receive confidential information are informed of their right to receive that information	None yet.

Requirement	Action
<p>Apply results-based accountability or other data-based quality measures to determine if children who receive services from the Family Services Division in different areas of the State have different outcomes and the reasons for those differences.</p>	<p>Contract in progress with University of Kansas for data reporting system. Quality Case Review.</p>
<p>On or before September 30, 2015, develop and implement a Family Services Division policy requiring a six-month supervision period by the Department after a child is returned to the home from which he or she was removed due to abuse or neglect.</p>	<p>See previous slide.</p>

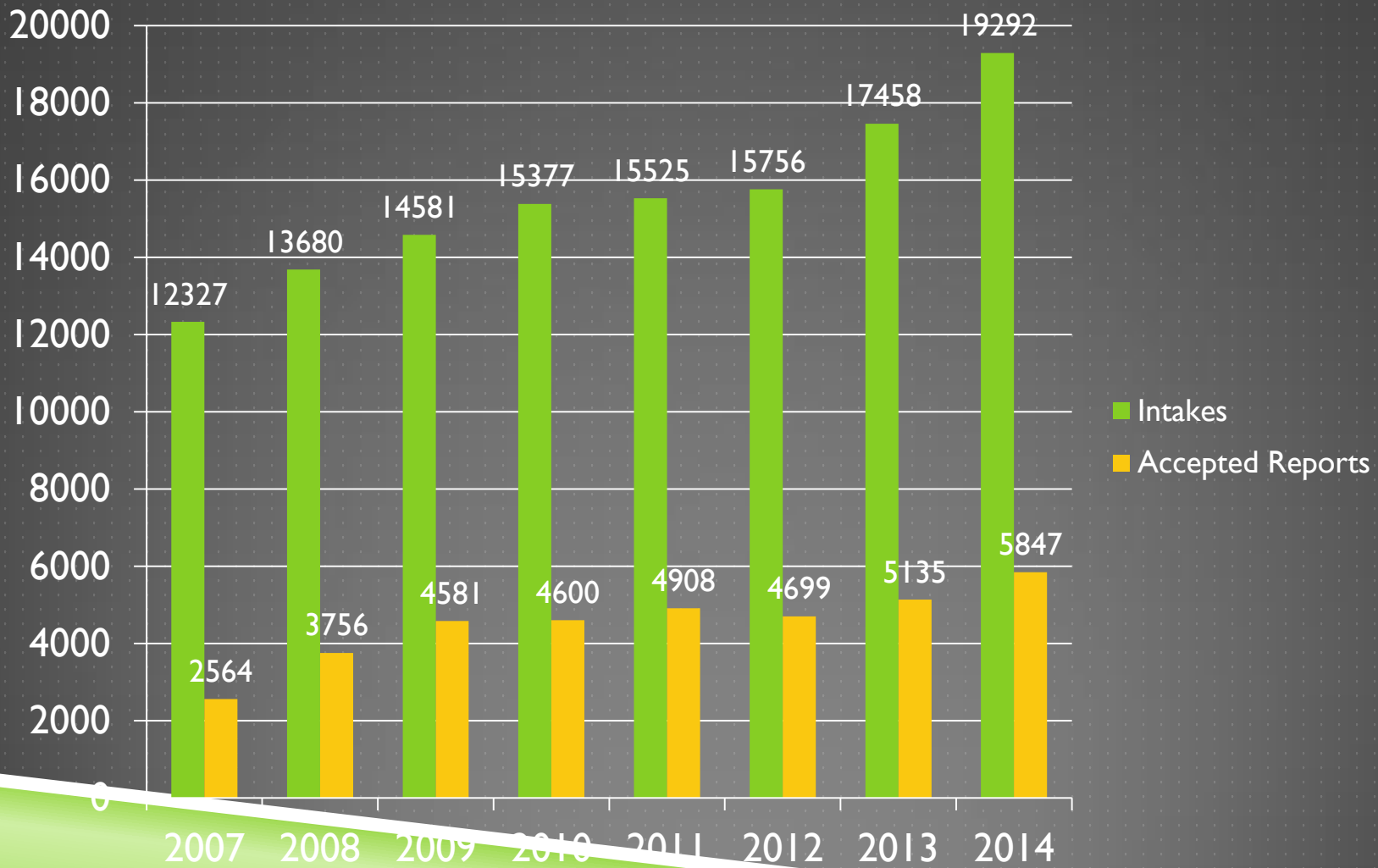
Requirement	Action
<p>Develop metrics as to the appropriate caseload for social workers that take into account the experience and training of a social worker, the number of families and the total number of children a social worker is responsible for, and the acuity or difficulty of cases.</p>	<p>In progress. Incorporation of acuity measure will take longer. See slides at end.</p>
<p>Determine how to improve data sharing between DCF, courts, treatment providers, AOE, & other branches, departments, agencies, & persons involved in protecting children from abuse & neglect, including:</p> <ul style="list-style-type: none"> (A) determine data that should be shared; (B) regulatory requirements & security parameters; (C) costs of creating a platform to share data; and (D) make recommendations to address these issues and to improve the system for protecting children from abuse and neglect. 	<p>None yet.</p>

Requirement	Action
<p>Ensure that all Family Services Division employees receive training on:</p> <ul style="list-style-type: none">(A) relevant policies, procedures, and practices; and(B) the employees' legal responsibilities and obligations.	<p>Training priorities are reviewed and adjusted annually.</p> <p>Go to Meeting is used as vehicle to train staff about new and revised policies.</p>

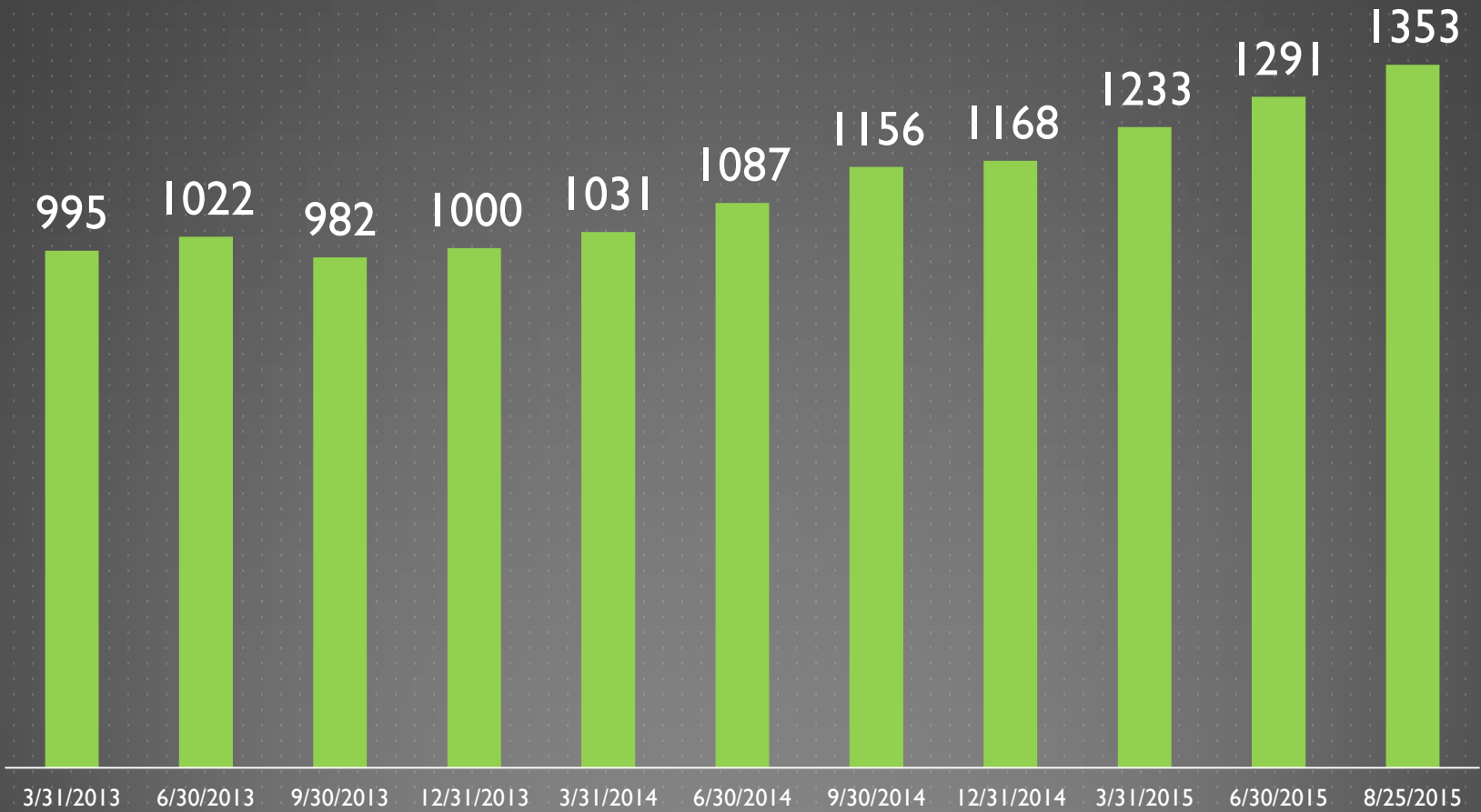
Requirement	Action
<p>Develop plan to implement the following policies, procedures, & practices, including identifying potential costs, & on/before 9/30/2015, report to the Joint Legislative Child Protection Oversight Committee on additional resources necessary to:</p> <ul style="list-style-type: none"> (1) increase the number of required face-to-face meetings between social workers and children; (2) increase the number of required home visits and require unannounced home visits social workers; and (3) require that all persons living in a household or who will have child care responsibilities be assessed for criminal history and potential safety risks whenever a child who has been removed from a home is returned to that home. 	<p>This is tied to the workload measurement item.</p> <p>The recent murder of a social worker has placed the issue of unannounced home visits in a different context.</p> <p>#3 will be required as part of new reunification policy.</p>

CASELOAD AND WORKLOAD TRENDS

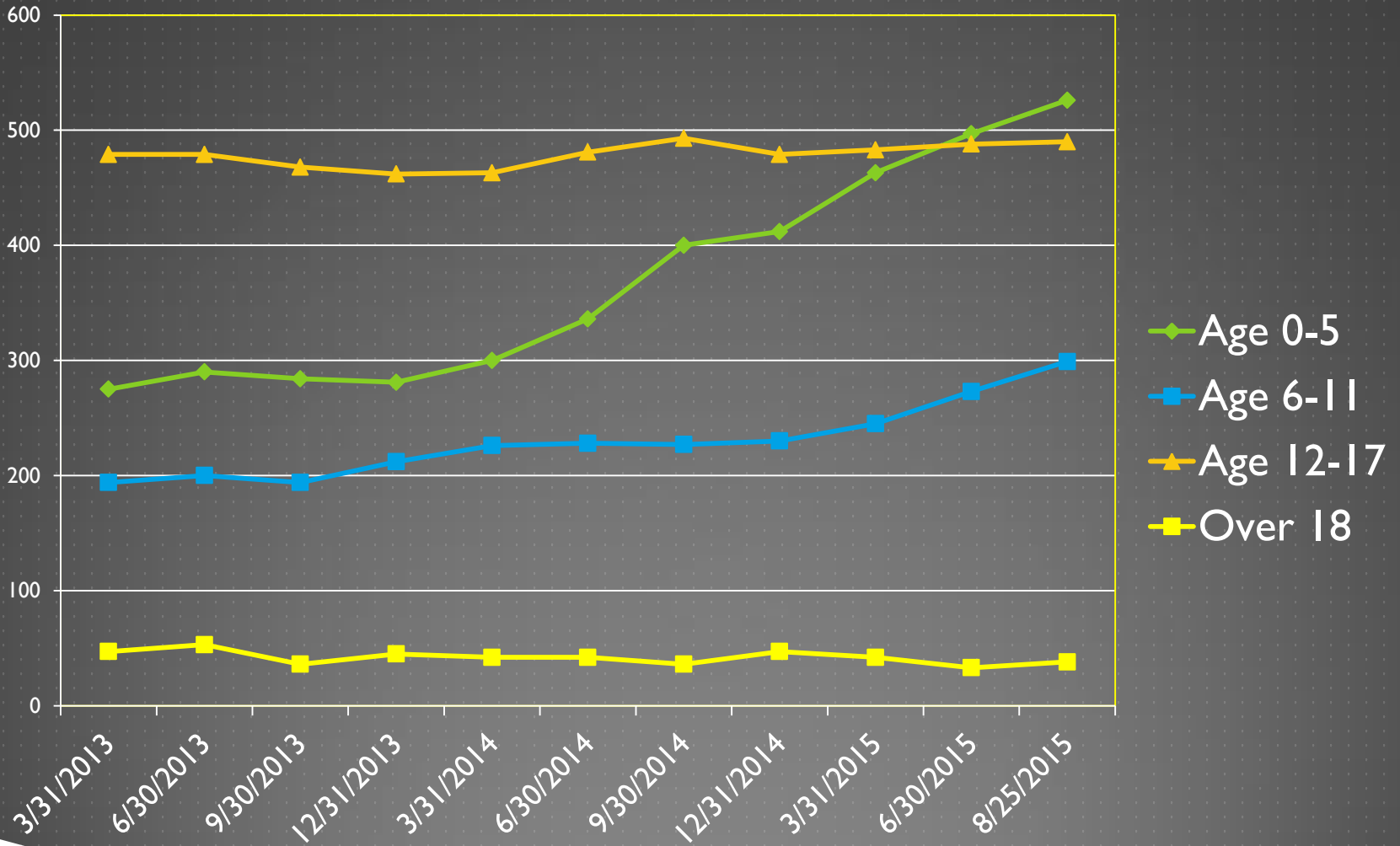
INTAKES AND ACCEPTED CHILD ABUSE RPTS



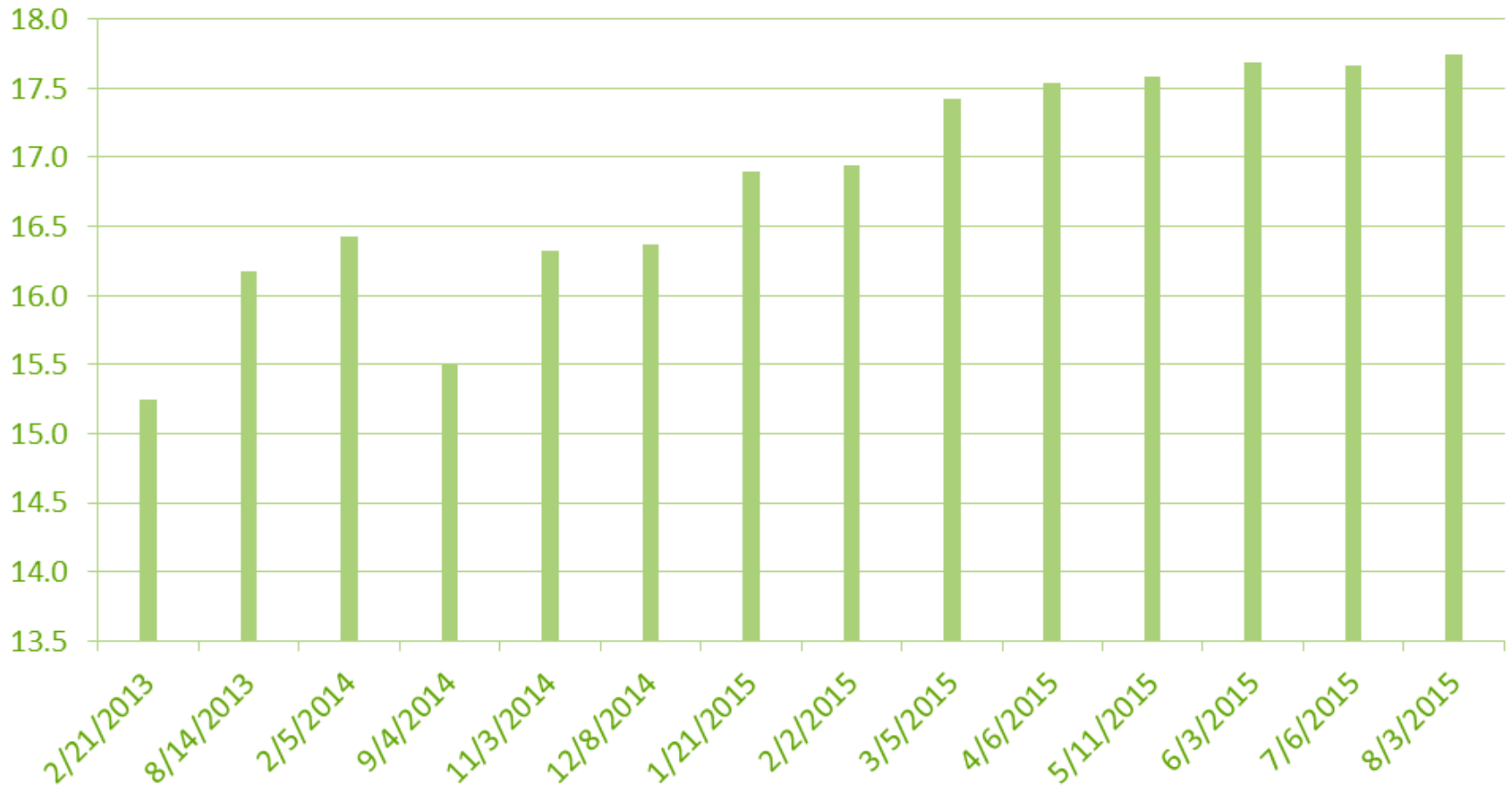
Children in Care



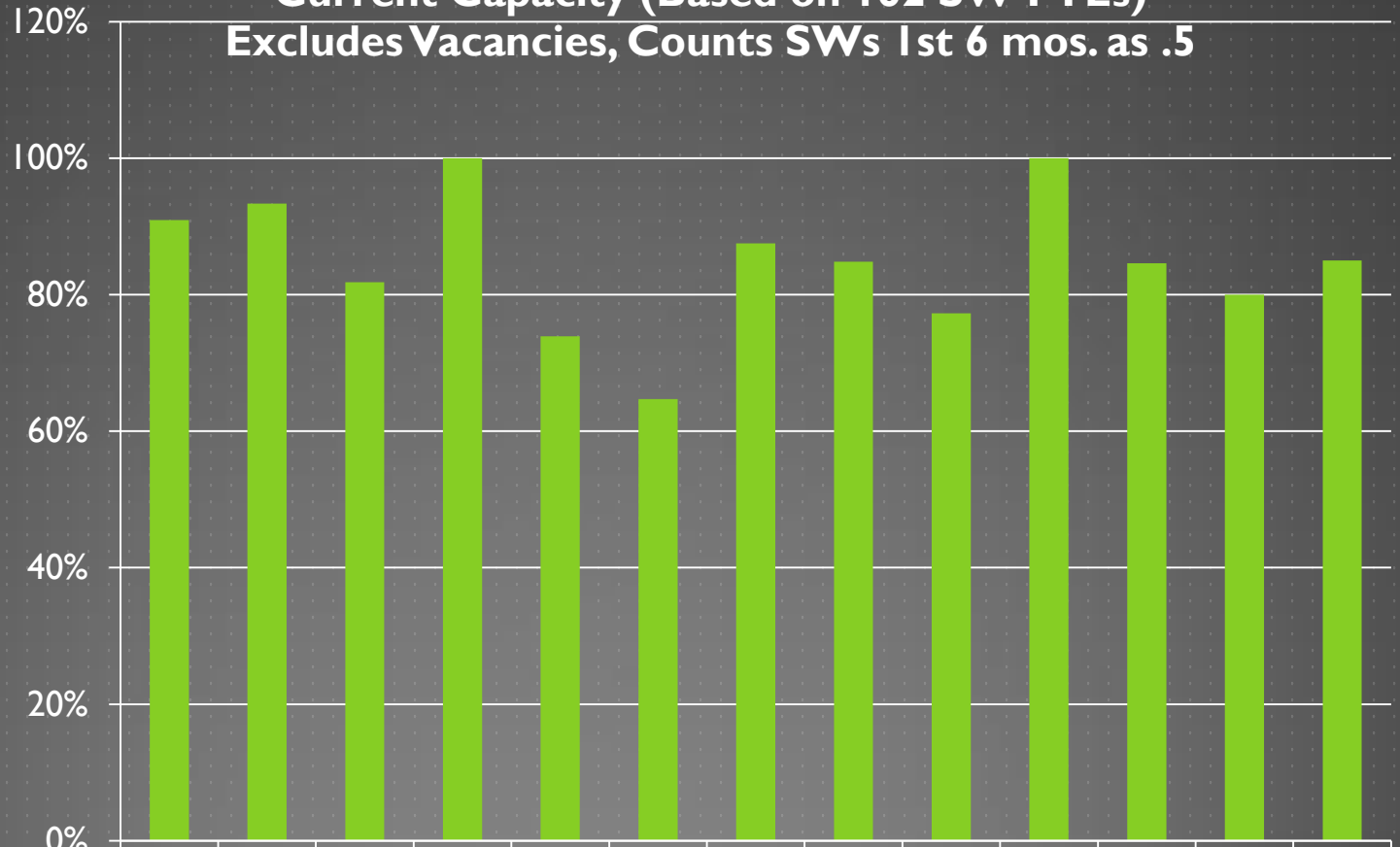
Children in Care



Avg Workload



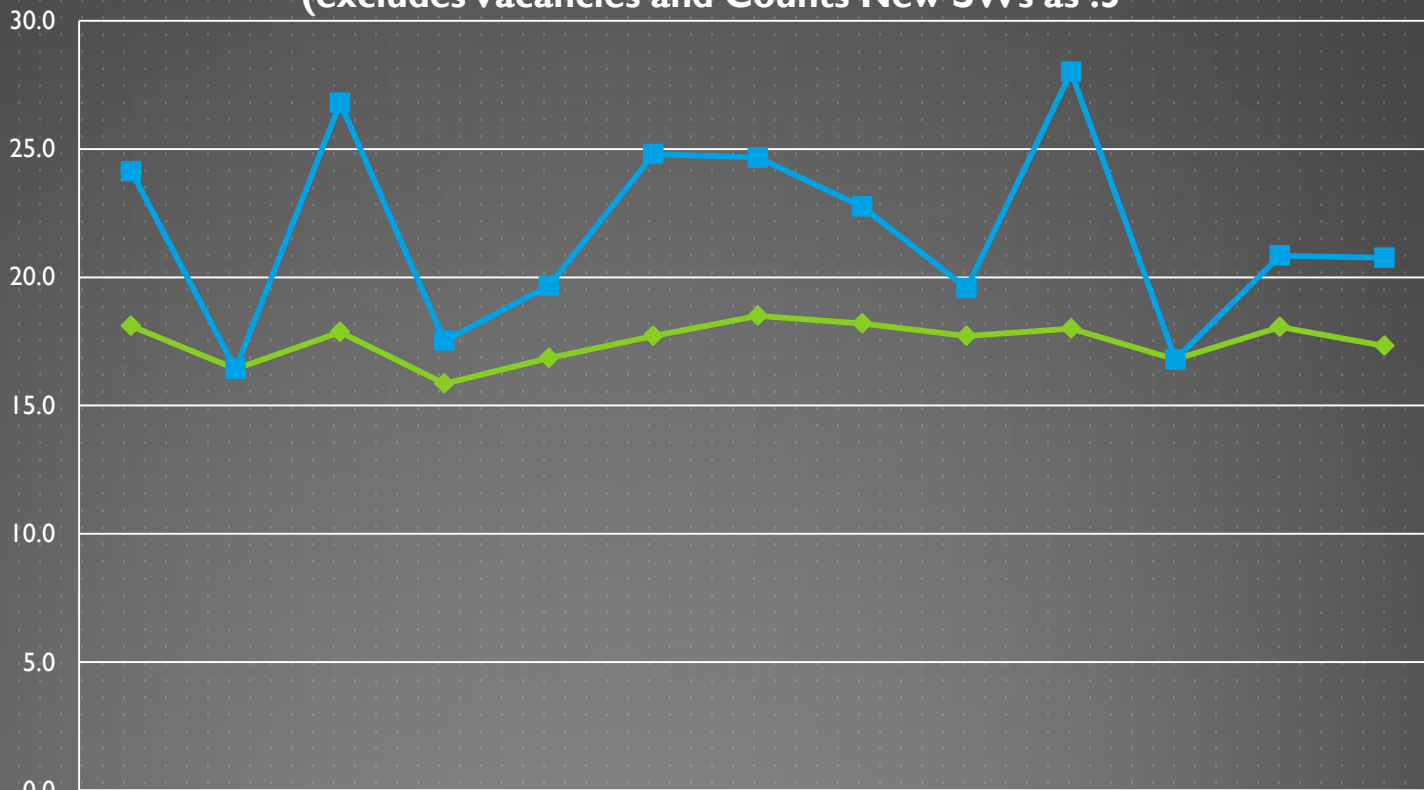
Current Capacity (Based on 162 SW FTEs)
Excludes Vacancies, Counts SWs 1st 6 mos. as .5



	St. A	Burl	Hartf	St. J	Bratt	Barre	New p	Rutl	Spr	Benn	Morr	Midd	State
Current Capacity	91%	93%	82%	100%	74%	65%	88%	85%	77%	100%	85%	80%	85%

Avg Ongoing Caseload Adjusted (excludes Vacancies and Counts New SWs as .5)

Families/Social Worker

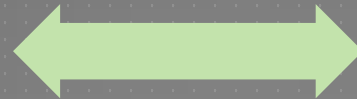


	Barre	Benn	Bratt	Burl	Hart	Midd	Morr	Newp	Rut	Spr	Sr. J	St A	State
◆ Avg Caseload	18.1	16.4	17.9	15.9	16.9	17.7	18.5	18.2	17.7	18.0	16.8	18.1	17.3
■ "Real" Caseload	24.1	16.4	26.8	17.5	19.7	24.8	24.7	22.8	19.6	28.0	16.8	20.8	20.8

Child & Family Safety



Social Worker's Capacity
to Engage Families
(Includes worker safety
and wellbeing)



Workload