



Virginia Commission on Youth 2019 Legislative Studies and Initiatives

Foster Care Study Recommendations

Recommendations	Public Comments
<p><u>Recommendations on Workforce Recruitment and Retention</u></p> <p><u>Recommendation 1</u></p> <p>Provide VDSS with five additional full-time dedicated curriculum development staff (classroom and e-learning) to review, revise, and update all curricula within child welfare. Current courses should be evaluated to maximize opportunities for conversion or partial conversion to e-learning and/or distance learning/webinar formats, when appropriate. Content shall be reviewed to ensure it is current and relevant to child welfare workers. VDSS shall revise curricula and/or develop a training model with input and consideration of local agencies’ needs and concerns, to include condensing courses, where appropriate. VDSS shall ensure that all trainers have current or recent field experience and/or up-to-date subject matter expertise.</p> <p style="text-align: center;">or</p>	<p>The Virginia League of Social Services Executives (VLSSE) supports all 5 recommendations on workforce recruitment and retention.</p> <p>The Culpeper Human Services Board supports all of the Commission’s recommendations and urges the General Assembly to adopt them.</p> <p>The Children’s Home Society of Virginia (CHS) supports this recommendation. “Updating the courses to ensure relevant content will maximize caseworker time and efficiency.”</p> <p>The Legal Aid Justice Center (LAJC) did not take a position on this recommendation, but does “strongly urge the Commission to include in its recommendation that any training curriculum given for child welfare workers include a racial equity and implicit and explicit bias component.” “Virginia’s child welfare actors must acknowledge racial disparity and take steps to end it, including by ensuring child</p>

Recommendation 1b (based on public comment)

Introduce a budget amendment for additional staff positions at VDSS to administer a Training Academy for Family Services Specialists as recommended in the 2018 study conducted by the University of Denver, Butler Institute for Families.

welfare workers have the appropriate training and skills necessary to make decisions with race equity in mind.”

The **Virginia Poverty Law Center (VPLC)** states that, “training for the child welfare workforce must focus not merely on policies and procedures, but on how their work impacts Virginia’s families. Social workers need to have a thorough understanding of:

- Cultural differences in family structures, discipline, and expectations of children
- The hard choices parents in poverty must make when caring and providing for their children
- How agency involvement can re-traumatize parents already struggling with their own trauma histories, including trauma from racism
- How separation from parents impacts children
- Implicit bias and how it can impact caseworker decisions
- How moral and value judgments influence assessments of child safety, and impact removal and reunification recommendations
- How their own backgrounds and experiences may create expectations for parents that may not be appropriate or necessary”

In regard to training, **VLSSE** supports increased funding of \$3,424,602 in Fiscal Year (FY) 2021 and \$3,264,550 in FY2022 for additional staff positions at VDSS to administer a Training Academy for Family Services Specialists as recommended in the 2018 study conducted by the University of Denver, Butler Institute for Families.

“The ultimate goal of the training academy is to transform our system's 30 year old training system. Currently, it takes at least two years for new workers to complete mandated training. The academy model will train new workers within six to eight weeks.”

	<p>Powhatan County DSS urges a recommendation on a full academy style training to be adopted.</p>
<p><u>Recommendation 2</u></p> <p>Introduce a budget amendment to expand Virginia’s Child Welfare Stipend Program to include stipend positions funded with state-only dollars, which will allow these stipend graduates to fulfil their stipend agreements in child welfare positions to include child protective services and ongoing/prevention services. These state-funded stipend positions will not have the federal requirement to have an employee work 51% of their job in Title IV-E.</p>	<p>Virginia Association of Counties (VACo) supports this recommendation.</p> <p>Powhatan County DSS recommends the state implement a 2-year Child Welfare degree program. This would allow someone to specialize in Child Welfare and become a case aide upon graduation who would in turn assist the family services specialist. “If the Case Aide wanted to continue their education with a 4-year degree they could do a 2 plus 2 program. The second two years could be paid for by the county with an agreement that they remain with the county for 5 years after graduation.”</p>
<p><u>Recommendation 3</u></p> <p>Introduce a budget amendment to increase the minimum salary for Family Services Series positions and provide a salary adjustment for current Family Services employees.</p>	<p>Voices for Virginia’s Children strongly supports this recommendation. “The minimum starting salary for an entry level position is \$30,000, which is only slightly above the 2019 Federal Poverty Level for a family of four.”</p> <p>CHS supports this recommendation. Current salaries creates high rates of turnover.</p> <p>VPLC states that “this recommendation to stabilize a workforce with a high turnover rate will help local departments sustain capacity to meet the needs of children in their care.” VPLC further adds, “in those localities where local government provides a supplement to state salaries, this proposal could result in a reduction in local supplements. The support of the Virginia Association of Counties and the Virginia Municipal League should be sought to ensure local governments are aware of the costs of continued high turnover in family services staff to their budgets and communities.”</p>

	<p>On recruitment, Powhatan County DSS comments that offering a more competitive wage does not guarantee a qualified applicant pool. “We offer a much higher starting salary than most agencies in the area [of] our size and we still have few applicants that are screened in, and interviewed.”</p> <p>On retention, Powhatan County DSS states “there is zero support from VDSS with retention efforts for locals.” “Better support from VDSS in requiring upgrades pending experience levels would be helpful.”</p> <p>VPLC provides, “for future study: in small localities, the cost of health insurance for worker families may be prohibitive even with a salary increase. The Commonwealth should examine the effects of amending § 2.2-1204 so that local employees for whom the cost of coverage is prohibitive due to the size of the local pool may participate in a state plan.”</p>
<p><u>Recommendation 4</u></p> <p>Request that the Virginia Department of Social Services present to the Commission on Youth an update on the status of VDSS technology, to include Compass, OASIS, and any efforts by the Department to allow Title IV-E to be processed electronically. Introduce a budget amendment to implement a new technology system to replace OASIS.</p>	<p>Voices supports this recommendation, commenting that “it is paramount that as we transform the foster care system, [and that] workers have access to modern technology and an updated data tracking system.”</p> <p>CHS supports this recommendation. Updating technology “can reduce the length of time between a child entering foster care and finding permanency.”</p>
<p><u>Recommendation 5</u></p> <p>Amend § 16.1-1506 of the <i>Code of Virginia</i> to extend the family assessment requirement from 45 days to 60 days with no additional extension.</p>	<p>The VLSSE supports this recommendation.</p>

Recommendations on Fostering Futures

Recommendation 6

Amend the *Code of Virginia* to codify the Fostering Futures program, as currently authorized in the Virginia State Budget language, ensuring that Federal Law is properly addressed. Include a provision allowing video conferencing as an option for monthly visits between LDSS and participants. Include enactments to require Virginia Board of Social Services to promulgate regulations for Fostering Futures programs which address the following issues:

- Determine what services are appropriate for participants.
- Develop requirements to be included in the Voluntary Continuing Services and Support Agreement (VCSSA). Requirements should include maintaining contact with the youth's case manager, and making rent payments on time. Case managers should tailor the VCSSA to the youths' situation and needs.
- Allow discretion for LDSS to disenroll youth from the Fostering Futures program for substantial violation of the VCSSA.
- Develop a budget worksheet and/or payment forms to monitor how participants are using their allotted funds and increase oversight of maintenance payments when needed.

or

Recommendation 6b (based on public comment)

Amend the *Code of Virginia* to codify the Fostering Futures program as above. Include in the legislation enactment clauses directing VDSS to make certain actions, rather than requiring regulatory action.

Virginia Association of Licensed Child Placing Agencies (VALCPA) supports codifying Fostering Futures.

The **VLSSE** supports both Fostering Futures recommendations. "Local Departments of Social Services do not currently have the flexibility needed in order to provide the best level of care for older youth eligible for the program." The recommendations "allow local Departments of Social Services to provide additional oversight of service provision."

Voices supports this recommendation in order to ensure that this program is always available for young people.

CHS and **UMFS** support this recommendation.

LAJC supports the codification of Fostering Futures, but also has concerns about the recommendation as currently presented. LAJC states that the Commission should delay "the regulatory process and amend the proposed recommendations to make them more supportive to enrolled youth." "LAJC has serious concerns about Virginia promulgating regulations that constrain young adults' access to and options within the Fostering Futures program." "Increased oversight and strict compliance mechanisms could actually have the effect of decreasing autonomy and opportunity for growth in the program, flying in face of its stated purpose." "We urge the Commission to significantly amend some of these proposals, which would create overly punitive consequences for young adults."

VPLC, states that "codifying the Fostering Futures program, currently only authorized through state budget language, will ensure its continuation." However, "rather than being required to 'opt in' to the program, the expectation should be that youth will remain, and provide instead an option to 'opt out.'" "Youth inclined to opt out due

	<p>to a desire to return to birth families should be made aware of their option to reunite while remaining in the program.”</p>
<p><u>Recommendation 7</u></p> <p>Request VDSS to update the “Fostering Futures Independent Living Arrangement Agreement” form to remove “Independent Living Arrangement” from the title and add an option for foster youth to remain in their current foster care placement.</p>	<p>(Recommendation not needed.) Virginia Department of Social Services stated that that have a separate form to address this issue.</p>
<p><u>Recommendations on Kinship Care</u></p> <p><u>Recommendation 8</u></p> <p>Support the ongoing systemic review process being done by the Administration for Children and Families of kinship navigator programs and encourage the addition of well-supported, supported, or promising kinship navigator program to be included in the Family First Clearinghouse.</p>	<p>VALCPA supports all kinship care recommendations. They are in support of all efforts to increase kinship care in Virginia, to remove barriers to kinship placements, and to increase funding for support and services to kin and fictive kin families.</p> <p>The VLSSE fully supports all kinship care recommendations.</p> <p>UMFS supports all kinship care recommendations.</p>
<p><u>Recommendation 9</u></p> <p>Support the continuation of the current federal funding for Virginia’s regional kinship navigator program.</p>	<p>The VLSSE supports this recommendation.</p>
<p><u>Recommendation 10</u></p> <p>Direct VDSS to develop a statewide kinship navigator program in Virginia, which will provide information, resource, and referral services to children and kin caregivers.</p>	<p>Isle of Wight County Department of Social Services supports all 19 recommendations as presented; however, they would like the recommendations on kinship navigator programs (recs. 8-10) to be expanded to include all local departments.</p> <p>“The Three Branch Team supports the endorsement of a budget amendment to sustain and expand kinship navigator programs in</p>

	<p>Virginia.”</p> <p>The VLSSE states, “the creation of a statewide Kinship Navigator Program will allow for relatives/fictive kin caring for children to better access resources to care for children in need, increasing stability for these placements.”</p>
<p><u>Recommendation 11</u></p> <p>Request that VDSS add an input box to OASIS to mark when a youth is diverted to a “facilitated care arrangement.”</p>	<p>Voices supports this recommendation. “Virginia should ensure that relatives have similar opportunities to receive the same supports as foster families. Currently families that care for children outside of the foster care system, in arrangements known as kinship diversion, do not receive the same financial support or access to mental health and social supports as foster families.” To that end, Voices also supports recommendations 13, 14, and 16.</p> <p>VPLC, states that in addition to capturing diversions, OASIS also must have ways to track outcomes.</p>
<p><u>Recommendation 12</u></p> <p>Request that VDSS as part of the upcoming diligent search RFP obtain feedback from LDSSs on the strengths and weaknesses of the current system and what is needed to make a search tool successful.</p>	<p>Connect Our Kids is a Virginia-based non-profit, 501c(3), organization that is building free software tools to make diligent searches faster and more effective. “We are about to start pilot testing, [our flagship tool], Family Connections tool in five states, including Virginia. We would love to give a demonstration of this software to the Virginia Commission on Youth.”</p>
<p><u>Recommendation 13</u></p> <p>Amend § 63.2-1305 of the <i>Code of Virginia</i> to add fictive kin to the definition of relative for the purpose of the KinGAP program.</p>	<p>Janet Wheeler, Glade Spring, supports this recommendation.</p> <p>Voices supports this recommendation.</p>
<p><u>Recommendation 14</u></p>	<p>Janet Wheeler, Glade Spring, supports this recommendation.</p> <p>Voices supports this recommendation.</p>

<p>Amend § 63.2-1305 of the <i>Code of Virginia</i> to create a state-funded Kinship Guardianship Assistance program that waives the requirement for potential guardians to serve as a licensed foster parents for six consecutive months and limits eligibility for this program to children who are least likely to be placed in a permanent home or who have been in foster care for an extended period of time.</p> <p>This recommendation was made by JLARC in their 2018 report. It was not introduced as legislation during the 2019 session.</p>	<p>The VLSSE states, “the creation of a Kinship Guardianship Assistance Program will allow for relatives/fictive kin caring for children to have the financial means to care for children in need, increasing stability for these placements.”</p> <p>The VPLC, commenting on recommendations 14-16, believes that “when the state intervenes in a child’s family, resulting in a kinship placement, the state should be financially responsible for that child.” “A state-funded Kinship Guardianship Assistance program would increase permanency options for children who don’t fit within the federal definition, while reducing administrative costs by transferring or diverting children from foster care to kinship care, without requiring that grandparents on limited and fixed incomes (the most common caregiver) deplete their retirement.”</p> <p>Powhatan County DSS bemoans the fact that under the current KinGAP program, ruling out adoption for a child under 14 is nearly impossible in Virginia. “If relative placement is the approved and appropriate goal of children under 14 years old and staying with their relative is in their best interest (per the FSS, family, therapist, GAL, and others to include the youth) that should be enough to rule out adoption.”</p> <p>Fairfax County Department of Social Services, Program Administrator, encourages “allowing children under 14 to utilize KinGAP. Right now, relatives cannot get KinGAP for children under 14 unless they are part of a sibling group with one child 14 or older. We should not be pressuring relatives to adopt when KinGAP is available.”</p>
<p><u>Recommendation 15</u></p> <p>Amend the Appropriation Act to increase funding for the General Relief program.</p>	<p>VPLC comments, “only some local departments are able to assist such families using General Relief funds.”</p>

<p><u>Recommendation 16</u></p> <p>Direct VDSS to create a state funded program to provide facilitated care reimbursement payments to kinship and fictive kin families who have custody over kin due to the child being identified as being at imminent risk of entering foster care. Local departments shall track these families and provide case management as necessary.</p>	<p>Janet Wheeler, Glade Spring, supports treating kin providers the same as foster parents. “I am advocating today that the ‘government’ treat ‘US’ ‘Grandparents/Kin Raising Grandchildren or other kin’ the same as they do foster care parents.”</p> <p>Voices supports this recommendation.</p> <p>Kinship Connection, a group of kinship providers from the Chesterfield area, supports a “common sense update to the <i>Code of Virginia</i> to provide monthly stipends for kinship children’s basic care requirements identical to that provided to foster parents.”</p> <p>“LAJC strongly supports the creation of a kinship care program that provides financial and other resources to caregivers at all stages of agency involvement, including and especially as a foster care prevention tool.” “Compared to the general population of children, those in private, informal kinship care tend to have higher poverty rates and are more likely to have physical and mental disabilities. For many of these families, thus, their most immediate need is for additional money to pay for the added costs of caring for a child.”</p>
<p><u>Recommendation 17</u></p> <p>Direct the Commission on Youth to study adding guardianship as a permanency option in Virginia by creating an Advisory Group to:</p> <ul style="list-style-type: none"> a) Look at the benefits as well as obstacles this change would create. b) Determine what is the potential impact on school enrollment and medical care. c) Investigate what would be the rights of the parties in such an arrangement. d) Explore the possible implementation of state funded guardianship assistance. 	<p>LAJC supports the Commission on Youth studying guardianship, but only as a temporary, time-limited option that provides for regular judicial check-ins and maintains the presumption on behalf of parents.</p>

Recommendation 17b (based on public comment)

Direct the Virginia Department of Social Services to create an emergency approval process for kinship caregivers and develop foster home certification standards for kinship caregivers using as a guide the Model Family Foster Home licensing Standards developed by the American Bar Association Center on Children and the Law, the Annie E. Casey Foundation, Generations United, and the National Association for Regulatory Administration. The adopted standards should align, as much as reasonably possible, to the Model Family Foster Home Licensing Standards, and should ensure that children in foster care 1) live in safe and appropriate homes under local department of social services and court oversight; 2) receive monthly financial assistance and supportive services to help meet their needs; and 3) can access the permanency options offered by Virginia's Guardianship Assistance Program.

Other Comments on Kinship Care

- TANF funds for kinship care:

“**The Three Branch Team** recommends increased funding to relatives when children are diverted from foster care, considering the use of current, untapped, TANF funding streams.”

- Barrier crime process for kinship care providers:

“**The Three Branch Team** recommends that there be a separate process for evaluating barrier crimes of relatives to facilitate placement of children with relatives.”

- Relative foster home approval process:

“**The Three Branch Team** endorses the creation of a relative foster home approval process that is quicker and easier to navigate than the current process, including immediate placement of a child in foster care with the identified relative.”

The **VLSSE** includes the following recommendation for consideration:

“Direct the Virginia Department of Social Services to create an emergency approval process for kinship caregivers and develop foster home certification standards for kinship caregivers using as a guide the Model Family Foster Home licensing Standards developed by the American Bar Association Center on Children and the Law, the Annie E. Casey Foundation, Generations United, and the National Association for Regulatory Administration. The adopted standards should align, as much as reasonably possible, to the Model Family Foster Home Licensing Standards, and should ensure that children in foster

	<p>care 1) live in safe and appropriate homes under local department of social services and court oversight; 2) receive monthly financial assistance and supportive services to help meet their needs; and 3) can access the permanency options offered by Virginia's Guardianship Assistance Program.”</p>
<p><u>Recommendations on Foster Care Family Recruitment and Retention</u></p> <p><u>Recommendation 18</u></p> <p>Direct VDSS and CSA to establish a grant program to incentivize the recruitment and retention of foster care families within local departments of social services. Grants will be awarded to local agencies who demonstrate a strategy to recruit families that will meet the needs of the children they serve. These families should be trained and supported by the local DSS, the community, and local service providers to provide the necessary trauma-informed services for children with emotional, medical, or behavioral needs. The grant application shall identify a targeted marketing strategy, supporting community partners, and additional supports that will be provided to foster families recruited under this grant. Local departments may contract with private providers to deliver the daily support and supervision of these families. The local agency will be exempt from paying the local match for services provided to families recruited and trained under this grant. Two or more local agencies will be permitted to form partnerships under this grant program.</p>	<p>VALCPA supports this recommendation.</p> <p>The VLSSE supports all the recommendations on foster care family recruitment and retention.</p> <p>VACo supports this recommendation. “Additional state assistance with recruiting and retaining foster families, particularly families who are able to foster older children, children with special needs, and siblings, would be welcome.”</p> <p>CHS supports this recommendation, and adds “targeted strategies used by local departments of social services should include the recruitment and retention of adoptive families as well as foster families.”</p>
<p><u>Recommendation 19</u></p> <p>Request an update from VDSS on the recruitment and retention of foster care families by November 2020, to include an update on the creation of a stronger framework and parameters for LDSS around family supports (to include but not be limited to a provision for a dedicated recruiter and trainer; trauma training, parenting</p>	<p>CHS supports this recommendation.</p>

strategies, and respite care for foster care families; and social support mentors the foster children). Request VDSS to (i) provide an estimate of funding necessary to implement the statewide strategic plan for recruiting and retaining foster parents; and (ii) identify all possible sources of funding that could be used to support statewide recruitment and retention efforts.