

CITIZEN REVIEW PANEL RECOMMENDATIONS 2021-2022



Washington State Department of
CHILDREN, YOUTH & FAMILIES

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Disproportionality

1. Establish the former Washington State Racial Disproportionality Advisory Committee (WSRDAC) as a CRP and follow recommendations that the WSRDAC CRP provides for improving practice and policy. This external group will align with DCYF efforts to “recognize and address the racial inequities in outcomes for kids.” Former members, previous organizations, and newly identified members should constitute the CRP membership. By using this committee’s experienced members to monitor and focus DCYF efforts on racial equity, this creates an external level of accountability outside the internal Race, Equity and Social Justice group. The CRP would like this to be established by the end of 2021. (This is a recommendation carried over from the prior year’s recommendations)

DCYF Response:

DCYF hired a CAPTA Grant Program Manager to facilitate the Citizen Review Panels. The facilitator, along with DCYF staff and existing CRP Panel members, recruited members to form the Race, Equity, and Inclusion Statewide Citizen Review Panel. This panel is comprised of prior members of WSRDAC and new identified members. The Race, Equity, and Inclusion Statewide Citizen Review Panel will have its first meeting in September 2022 and the first in-person meeting to determine strategic plan and goals in October 2022.

2. Develop or implement a race equity analysis tool to be used when hiring, in policy and practice development, and budget. If one is already in place, make sure that all program managers and leadership are using this tool; provide the tool in the response to this group and make the tool public.

DCYF Response:

DCYF Office of Racial Equity and Social Justice (ORESJ) was established in July 2020. The office is taking an intersectional approach, leading with race, to provide the vision, expertise, and accountability mechanisms necessary to make progress on DCYF’s commitment to advance racial equity. ORESJ provides many resources including trainings and tools that were created to help identify and address equity impacts of DCYF programs, policies, and decisions. Some of the tools include a BIAS Tool, Racial Equity Tool Kit, and a Budget Equity Impact Assessment Tool. These tools are located on DCYF intranet site that is accessible for staff and other state employees. The guidance and a framework for the use of the tools has not been fully implemented.

3. Collect, maintain, publish and disseminate race/ethnicity data and information to the public and partners on a regular basis.

DCYF Response:

DCYF Office of Innovation, Alignment, and Accountability (OIAA) prepare and publish data regarding agency performance in a number of key areas, including the strategic priority of eliminating racial disproportionality

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and advancing racial equity. OIAA has information regarding equity in Kindergarten readiness, disproportionality in child welfare, and equity in Juvenile Rehabilitation Services.

These measures can be accessed at the following link: <https://www.dcyf.wa.gov/practice/oiaa/agency-performance/racial-equity>

Education

1. Train all relevant staff to complete Best Interest Determinations, as required by federal law, under Every Student Succeeds Act (ESSA). When a child is placed into foster care, or changes placement, the Fostering Connections to Success and Increasing Adoptions Act, and ESSA require child welfare and education agencies to collaborate to determine if it is in the child's best interest to remain in their school of origin. As part of this: Document Best Interest Determinations including decision on school placement.

DCYF Response:

Available Education trainings offered to staff that include ESSA and discuss Best Interest Determinations:

- DCYF Foster Care Education Policy and Procedure Training Zoom is available for DCYF staff to attend. The training is offered every other month.
- Headquarters Education Program Manager offers an Education Open Doors Zoom meeting every other week with specific time for focused training topics (such as documentation of Best Interest Determination), staffing case specific challenges, and time for open questions and discussion.
- 4302A. Educational Services and Planning Training PowerPoint
- FamLink Education Training (30 minutes)
- Learning Management System – DCYF Alliance Education Policy and Case Planning training (30 minutes)

2. Document school changes in relation to placement changes.

DCYF Response:

DCYF Caseworker manually update school changes when placement changes occur on Education page in Famlink. This can also be documented in a case note and during FTDM or another shared planning meeting.

3. Invite and include youth and parents in Best Interest Determinations.

DCYF Response:

Parents and youths are invited to shared planning meetings where Best Interest Determinations are made. Trainings for caseworkers provide guidance on inviting youth and parents. DCYF Policy was recently updated to more clearly define the process.

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DCYF Policy: 4302A. Educational Services and Planning: Early Childhood Development, K-12 and Post-Secondary

The caseworker will:

- Keep the child enrolled in their school of origin when they enter care or change placement when it is practical and in the best interest of the child while the determination is being made.
 - Determine the child's best interest on school related decisions by gathering input on the child's case plan from relevant and appropriate individuals. This determination should be made prior to placement moves, changing schools, and in coordination with their education team to include, but not limited to, input from the: child, family, caregivers, school, and guardian ad litem.
4. Provide mandatory training to social workers, supervisors, area administrators, and caregivers in partnership with OSPI regarding federal and state requirements for educational stability.

DCYF Response:

While DCYF provides trainings on federal and state requirements for educational stability there are no mandatory trainings coordinated with OSPI. DCYF acknowledges this recommendation and will take it into consideration.

5. Expand capacity at the regional level for DCYF educational leads to have the time to focus on education to improve educational outcomes and determinations.

DCYF Response:

Project Education Impact (PEI) workgroup recommended expanding the capacity in the regions and to have Education Leads position in the field. The PEI is currently working on their legislative report and this will be one of the recommendations for the legislature to address.

6. Partner with OSPI and individual school districts, specifically utilizing SB 5184 foster care points of contact in each school, to remove barriers to parents being an integral part of their children's educational experience.

DCYF Response:

Regional DCYF Education Leads and DCYF staff facilitate and/or participate in regional school and child welfare networks that meet regularly. These meetings include opportunities to participate in joint trainings, case consultations and/or sharing of resources.

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Several DCYF forms/publications including the School Notification form have the OSPI link to the district foster care liaisons (FLC). This facilitates connecting with the proper liaison and reduces delays in obtaining needed resources for children when they come into care.

7. Partner with Parents for Parents, the courts, the AG's, OPD, AOC, OCLA and other partners to remove barriers and encourage parents to be an integral part of their children's educational experience.

DCYF Response:

DCYF Headquarter Education Program Manager collaborates in planning and facilitating AOC training for judges, AAGs, and the GALs.

Regional FTDM Coordinators invite and include parents in shared planning meetings. Education Leads message out importance to case workers to include parents in school meetings and in Best Interest Determination meetings.

Additionally, under the Strengthening Child Welfare System Grant an Enhanced Permanency Planning intervention was utilized in 22 offices in Regions 1, 4, and 6. This intervention included the following enhancements:

- Independent facilitators assign themselves to cases and are the center of all meetings for the family
 - Expedited staffing every 90 days
 - Pre-Meetings with parents, caregivers, youth and caseworkers to ensure everyone is clear on the meeting purpose and agenda
 - Consistent agenda that incorporates the components outlined in Shared Planning Meeting policy - the agenda always reviews youth's medical, mental health, and education status as well as placement and visits; concurrent plans and condition to return home
 - Creation of an action plan to identify "next steps" on the case
 - Parents are afforded the opportunity to meet separately with family in a break-out room to create their own case plan which is then presented to the team
 - These meetings are held as true teaming meetings with case plans developed by parents, youth, stakeholders, Tribe, and caseworker
 - Components of this intervention include; transparency, respect and integrity, inclusion, and they are strength-based
8. Add an education representative to the DCYF Oversight Board.

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DCYF Response:

The DCYF Oversight Board is addressed in [RCW 43.216.015\(9\)](#). Members include legislators and representatives with various subject matter expertise. Members other than legislators are nominated by the Governor subject to the approval of the appointed legislators by majority vote.

Last session, [HB 1665](#) was introduced to add “one subject matter expert on education for youth who are placed in an institution as defined under RCW 13.40.020 or dependent under chapter 13.34 RCW.” Although HB 1665 did not move forward in the legislative process, it was added to [HB 1936](#), which included some other modifications to the Oversight Board membership. The bill did not pass.

Data

1. Include external stakeholders in the ongoing development of CCWIS around deciding what data points need to be collected and make these the priority. The group recommends a review of what is statutorily mandated as a starting point. Examples include incarcerated parents, family time, disproportionality and educational outcomes.

DCYF Response:

DCYF has not had any stakeholder involvement at this point. DCYF will be including external stakeholder communications in the detailed communication plan, but that is still to be developed. Regarding data points, DCYF is in the planning phase and not ready for those discussions. The Implementation Project (to be expected next year) will discuss details and data collection needs. DCYF is currently working to offer a listening session to external partners around CCWIS. The listening session may be used to build an external committee to assist with CCWIS in the implementation planning phase to start after the Feasibility Study is completed.

2. Develop an Education Dashboard that includes (but not limited to):
 - Percentage of children in care who change schools as a result of a placement change
 - Number of best interest determinations with resulting school placement
 - Number of children who remained in school of origin after being placed outside of the school boundaries
 - Percentage of children, both in care and those who remain in the home, who have been referred to Early Learning Services and out of those how many are receiving Early Learning Services
 - Percentage of children in care with education liaisons
 - Number of youths in JR institutional setting and number of youths that age out or declined into DOC
 - Graduation rates and testing scores of children in foster care
 - School discipline rates of children in foster care
 - All data should be disaggregated by race and ethnicity

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DCYF Response:

DCYF is committed to understanding the educational outcomes of children in care and the Office of Innovation, Alignment, and Accountability is actively working to develop the necessary data structures to report on educational outcomes. DCYF and OSPI have entered into a data share agreement that specifies how the data received from OSPI can legally be used in order for OSPI to remain in compliance with FERPA regulations. This agreement only permits the data to be used for internal improvement purposes and it cannot be displayed in a public dashboard. OIAA continues to work with the DCYF educational program manager to identify the priority for future report development.

- Bullets 1-5. OIAA does not have systematic access to the OSPI data coming into DCYF, so some of these cannot be reported on until we have access.
- Bullet 6 – OIAA currently reports the number of youth in institutional settings each year on our Reports page here (see Juvenile Rehabilitation Fact Sheet, lower right corner link): <https://www.dcyf.wa.gov/practice/oiaa/reports>
- Bullets 7-8, these reports are met by ERDC and OSPI. See ERDC’s Education Outcomes of Children and Youth Experiencing Foster Care: <https://erdc.wa.gov/publications/student-outcomes/education-outcomes-children-and-youth-experiencing-foster-care>
- OSPI report cards with foster care as “Student Program and Characteristic” <https://washingtonstaterreportcard.ospi.k12.wa.us/ReportCard/ViewSchoolOrDistrict/103300>

3. In order to capture a better idea of how race and ethnicity affect child welfare, data should be collected at each decision point DCYF is involved in. This includes but is not limited to the race/ethnicity of children, parents, caregivers, DCYF workforce and reporting parties.

DCYF Response:

DCYF Office of Innovation, Alignment, and Accountability (OIAA) prepare and publish data regarding agency performance in a number of key areas, including the strategic priority of eliminating racial disproportionality and advancing racial equity. OIAA has information regarding equity in Kindergarten readiness, disproportionality in child welfare, and equity in Juvenile Rehabilitation Services.

These measures can be accessed at the following link: <https://www.dcyf.wa.gov/practice/oiaa/agency-performance/racial-equity>

Infants Born Substance Exposed or Affected

1. Update policy that creates a presumption that infants born substance exposed or affected remain with parent. If the Safety Framework indicates the infant is unsafe with the biological parent, including fathers, active efforts should be utilized to ensure that every single effort and resource is afforded to keep the child safely home through a safety plan. This would include an increase in resource allocation to family SUD housing such as the Rising Strong model.

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DCYF Response:

As 1227 becomes effective the standard for removal will meet the statutory requirements. Policy changes will be reflective of the statutory requirements.

2. Pursue additional legislation to remove language such as “substance abuse as a contributing factor... shall be given great weight”. See RCW 26.44. 195. This language perpetrates biases for parents who have substance abuse disorders. Other risk factors such as severe mental health issues and lack of bonding can be just as dangerous to infants as substance abuse.

DCYF Response:

DCYF leadership will consider this recommendation.

3. Update policy for DCYF and the Attorney General's Office (AGO) to make clear that when a dependency is filed on an infant born substance exposed or affected and the intake is screened in risk only, without any other allegations, that DCYF only file a C dependency alleging that the child has no parent, guardian or custodian capable of adequately caring for the child. In these situations, a B dependency should not be filed, as there cannot be abuse or neglect of the infant prior to birth. This is consistent with DCYF’s discontinuation of findings on children prior to their birth.

DCYF Response:

DCYF’s policies do not apply to other state agencies, including the AGO. After a dependency petition has been completed by the department it is reviewed by the AGO for legal sufficiency. If a newborn is removed for substance use alone, the petition would be filed under RCW 13.34.030(5)(c) dependency, indicating there is no parent or guardian capable to care for the child. However, there are circumstances that indicate a dependency should be filed under RCW 13.34.030(5) subsection (a) and/or (b) when there are allegations of abandonment, child abuse, and/or neglect in addition to the substance use.

While there is no specific policy to direct the use of the subsection of RCW 13.34.030(5), DCYF will consider this recommendation.

4. The group recommends that DCYF leadership convene a meeting with leadership at the Governor’s Office and Statewide representatives of Hospitals to develop clear and consistent statewide policies for hospitals regarding testing for substances during the birthing process. The race equity analysis tool should be used during the process.

DCYF Response:

DCYF leadership is currently in early discussion with Department of Health to address this issue. DCYF will provide more information as these talks advance.

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