

STATE OF NEVADA  
Department of Human Resources  
Division of Child and Family Services



ANNUAL PROGRESS  
&  
SERVICE REPORT  
FIVE-YEAR CHILD AND FAMILY SERVICES  
STATEWIDE PLAN (CFSP)  
FOR  
SFY 2006

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## Glossary of Acronyms

AFCARS	Adoption Foster Care Analysis and Reporting System
APHSA	American Public Human Services Association
APSR	Annual Progress & Service Report
ASFA	Adoption and Safe Families Act
ASPR	Annual Services Progress Report
ATC	Adolescent Treatment Center
BADA	Bureau of Alcohol and Drug Abuse
CADRE	Citizen's Alliance for Disability Rights and Education
CAPTA	Child Abuse Prevention and Treatment Act
CASA	Court Appointed Special Advocate
CCDFS	Clark County Department of Family Services
CFCIP	Chafee Foster Care Independence Program
CFSP	Child and Family Service Plan
CFSR	Child and Family Services Review
CMHBG	Community Mental Health Block Grant
CMHS	Community Mental Health Services
CPS	Child Protective Services
CRP	Citizen Review Panel
CRT	Community Resource Teams
CWAF	Child Welfare Action Form
CWS	Child Welfare System
DCFS	Division of Child and Family Services
DHR	Department of Human Resources
DMG	Decision Making Group
DOE	Department of Education
DRS	Differential Response System
DWTC	Desert Willow Treatment Center
ETV	Educational Training Voucher Grant Program
FASS	Family Assessment and Services System
FCAAN	Foster Care and Adoption Association of Nevada
FLH	Family Learning Homes
FPO	Family Programs Office
FRC	Family Resource Center
HCFAP	Health Care Finance and Planning
HSSS	Human Services Support Specialist
ICAMA	Interstate Compact on Adoption and Medical Assistance
ICJ	Interstate Compact for Juveniles
ICPC	Interstate Compact on the Placement of Children
ICWA	Indian Child Welfare Act
IFS	Intensive Family Services
ILP	Independent Living Plan
IMS	Information Management System
KIN	Kinship in Nevada Project
MDT	Multi-Disciplinary Team

MEPA/IPA	Multi-Ethnic Placement Act/Inter-Ethnic Placement Act
MHDS	Mental Health and Developmental Services
NAC	Nevada Administrative Code
NCANDS	National Child Abuse and Neglect Data System
NCANS	Nevada Child Abuse and Neglect System
NCC	Neighborhood Care Center
NCC	Nevada Children's Center
NCCMT	Neighborhood Care Center Management Team
NCFAS	North Carolina Family Assessment Survey
NITC	Nevada Inter-Tribal Council
NNCAS	Northern Nevada Child and Adolescent Services
NRC	National Resource Center
NRS	Nevada Revised Statutes
NWD	Nevada Welfare Division
NTP	Nevada Training Partnership
OJJDP	Office of Juvenile Justice and Delinquency Prevention
PART	Policy Approval and Review Team
PEP	Parents Encouraging Parents
PRIDE	Parent Resources for Information Development and Education
QA	Quality Assurance
SACWIS	Statewide Automated Child Welfare Information System
SAFE	Structured Analysis Family Evaluation
SAFF	Sierra Association of Foster Families
SAMHSA	Substance Abuse Mental Health Services Administration
SED	Severe Emotional Disturbance
SIG	State Infrastructure Grant
SNCAS	Southern Nevada Child and Adolescent Services
SOC	Systems of Care
TALCIT	Technical Assistance to Local Communities and Indian Tribes
TANF	Temporary Assistance to Needy Families
TPR	Termination of Parental Rights
UNITY	Unified Nevada Information Technology for Youth
VOCA	Victims of Crime Act
WCDSS	Washoe County Department of Social Services
WIN	Wrap-Around In Nevada

## **Section I. Administration of the Plan**

### **State Agency Administering Programs**

The State of Nevada, Division of Child and Family Services (Division), within the Department of Human Services, is specifically dedicated to providing services to children and families. The Division is responsible for Children's Mental Health (in the two largest populated counties), Youth Corrections and Child Welfare Services. The implementation and administration of Title IV-E, Title IV-B, Subpart I (Child Welfare Services) and Subpart 2 (Promoting Safe and Stable Families), Child Abuse and Treatment Act (CAPTA), and the Chafee Foster Care Independence Program (CFCIP) are also the responsibility of the Division.

### **State Demographics**

For the past 19 years, Nevada has been the fastest growing state in the nation. In 2005, the population reached 2,518,869 inhabitants with growth primarily occurring in two counties: Washoe and Clark. The Division's organizational structure and program delivery are influenced by the state size and concentration of population in these two counties. For the most part, growth in Nevada's rural counties has been minimal. For the purpose of this plan, demographic composites have been compiled to reflect three regional service areas; Clark County, Washoe County and the Rural Counties.

- Clark County: In 2005, the number of residents in Clark County increased by 10% to 1,796,380. This comprises 71% of the state's population. Approximately 26% of Clark County's population is children under the age of 18. In 2005, the average family income is \$50,485. Clark County's child poverty rate is at 14.1% and the teen birth rate is at ((29.2%) per 1,000 females (2003). Clark County reported substantiated abuse and neglect reports at 23.4 % (2002)
- Washoe County: In 2005, the number of residents in Washoe County increased by 6% to 396,844 residents or 15.8% of the state's overall population. Approximately 25% of Washoe County's population is comprised of children under the age of 18. In 2002, Washoe County reported the highest median family income at \$45,815. The child poverty rate is reported to be 11.9% (2000). Teen birth rates were 26.9% per 1,000 females (2003). Washoe County reported the highest substantiated abuse and neglect reports (25.4% in 2002).
- Rural Counties: Rural Nevada comprises 12.9% of the state's population and encompasses 15 counties, two of which lost residents in 2005. Overall, the region's population grew by 7% to 325,646 residents. Approximately 24.5% of the population is children under the age of 18. The average family income in rural counties is \$47,571 and the child poverty rate averages 15.5%. Teen birth rates average 21% per 1,000 females. The rural counties have the lowest number of substantiated child abuse and neglect reports (12%).

## **Integration of Child Welfare Services**

In addition to geographic challenges, Nevada is the only state that has operated under a bifurcated child welfare system where counties with populations of 100,000 (Washoe County and Clark County) provided Child Protective Services and the Division provided child welfare services.

Child Protective Services included:

- Preventative services
- Investigations of abuse and neglect
- Family assessments
- Emergency shelter care and/or short term foster care
- In-home services

Child Welfare Services included:

- Placement services (family foster care, higher levels including group and residential care)
- Case management for foster care and adoptions
- Independent living
- Family preservation
- Family foster home recruitment, training and licensing

In 1999, a legislatively supported pilot project was conducted in Washoe County between the Washoe County Department of Social Services (WCDSS) and the Division to integrate services. It was recognized that the bifurcated system caused children to remain in the system for a longer period of time due to additional legal actions, multiple case managers, changes in foster homes and service providers. Evaluation results of this two-year pilot demonstrated less duplication of efforts and more comprehensive and consistent services to children and families in a system that was not bifurcated.

Assembly Bill 1 (AB1), as passed by the 2001 Nevada Special Legislative Session, redefined “child welfare services” to include protective services, foster care services, and services related to adoption. It permits the transfer of child welfare services from the Division of Child and Family Services (Division) to a county whose population is 100,000 or more (Washoe and Clark). The legislation also recognizes that the state and counties have a shared fiscal responsibility for the costs of providing child welfare services and must be committed to ensuring, through negotiation in good faith, future maintenance of efforts in providing those services and to equitably sharing future costs for providing these services.

### Washoe County

Transition of the programs to Washoe County Department of Social Services occurred in two phases, which started in April 2002 and was completed in January 2003. Washoe County provides the full range of child welfare services and is maximizing appropriate federal funding sources such as TANF, Medicaid and Title IV-E.



## Clark County

The transition of programs to Clark County occurred in three phases. The first phase transferred 10.51 FTE in October 2003 to provide Family Preservation Services, and the second phase in April 2004 resulted in the transfer of 42.02 FTE to provide Licensing and Recruitment, Adoption, Interstate Compact on the Placement of Children, and Children's Resources Bureau services. The third and final phase occurred in October 2004 when the remaining 101.51 FTE transferred to the county to provide Case Management and Eligibility services. Clark County utilizes TANF and Medicaid with submission of its first Title IV-E claim.

### **A. Vision and Principles**

The Division, together in genuine partnership with families, communities and county governmental agencies, provides support and services to assist Nevada's children and families in reaching their full human potential. We recognize that Nevada's families are our future and families thrive when they:

Live in safe, permanent settings;  
Experience a sense of sustainable emotional and physical well being; and  
Receive support to consistently make positive choices for family and common good.

Service principles guide our work towards achieving this vision and are consistent with children and family services principles specified in federal regulations [45 CFS 1355.25(a) through 1355.25(h)]. These practice model principles are:

Protection-Children's safety is paramount;  
Development-Children, youth, and families need consistent nurturing in a healthy environment to achieve their full human potential;  
Permanency-All children need and are entitled to enduring relationships that provide a family, stability and belonging, a sense of self that connects children to their past, present and future;  
Cultural Responsiveness-Children and families have the right to be understood within the context of their own family, traditions, history, culture, and community;  
Partnership - The entire community shares accountability for the creation of an environment that helps families raise children to reach their full potential;  
Organizational Competence-Effectively structured and managed organizations with committed, trained, skilled staff are necessary to achieve positive outcomes for children and families.  
Strategic sequencing of continuous quality improvements must occur to reach Nevada's child and family services vision; and  
Professional Competence-Children and families need a relationship with skilled and empathetic case managers who can provide ethical support, confront difficult issues, and effectively assist them towards positive change that reinforces safety, permanency, well-being and community safety.

### **MISSION**

The Division is responsible for child welfare service delivery in rural Nevada and oversight of urban county-operated child welfare services, children's mental health services in urban Nevada, juvenile justice services including state-operated youth training centers and youth parole and child care licensing. Our mission encompasses:

### Protection and Permanency for Children

The Division creates opportunities and programs that prevent and respond to issues of parental/caregiver maltreatment, mental health, and delinquency. The Division strives to support permanency within the child's biological or primary and extended family so children may grow and develop within stable environments. The Division also recognizes the responsibility to create and support alternative permanent environments when biological or primary families are unable or incapable of caring for their children. The Division will collaboratively craft public policies to promote the strength and well-being of families.

### Preservation of Families

The Division supports the value that the family is the best structure to assure stability, nurturing, care, and safety of its members and communities. Services are designed to build upon family strengths, honoring the family's traditions, history, and culture.

### Juvenile Justice Services for Youth

The Division recognizes that services must balance youth rehabilitation, treatment, and community safety. Many juvenile offenders have been victims of maltreatment and therefore accountability must be balanced by the provision of services addressing trauma, loss, substance abuse, and mental health issues. Juvenile offenders are held accountable through a comprehensive system of graduated sanctions that include commitment to state-operated juvenile facilities.

### Children's Mental Health

The Division uses a system of care model that strives to provide creative, individualized, strength-based, and culturally responsive services for families with children that experience severe emotional disturbances. A developing continuum of care focuses on meeting the needs of children and families in the least restrictive environment, including utilization of the wraparound process to coordinate effective service delivery that enables children to reside with families when possible and with the assistance of informal supports rather than dependency on government or paid providers.

## **PURPOSES**

The Division is responsible for accomplishing the following purposes:

Protecting and promoting the welfare and safety of all children, including individuals with disabilities; homeless, dependent or neglected children;

Preventing or remedying, or assisting in the solution of problems that may result in the neglect, abuse, exploitation, or delinquency of children;

Preventing the unnecessary separation of children from their families by identifying family problems and assisting families in resolving their problems and preventing the breakup of the family where the prevention of child removal is desirable and possible;

Restoring to their families' children, who have been removed and may be safely returned, by the provision of services to the child and the family;

Assuring adequate care of children away from their homes in cases where the child cannot be returned home or cannot be placed for adoption; and

Placing children in suitable adoptive homes in cases where restoration to the biological or primary family is not possible or appropriate.

## **B. Goals and Objectives**

The term “Statewide” used in the goals and objectives (Appendix G) are collaborative activities involving representatives from Washoe County, Clark County, the Rural DCFS Region, and DCFS Administration. On March 1, 2005 Nevada’s Child and Family Services (CFSR) Program Improvement Plan (PIP) was approved. Under the PIP a collaborative structure known as the Decision-Making Group (DMG) comprised of the Administrator of the Division of Child and Family Services, the Directors of Clark County Department of Family Services, Washoe County Department of Social Services and other key administrative staff was established. The DMG provides oversight for the direction and implementation of the PIP, approves policies, and relevant procedures and practice guidelines. Collaborative policy teams comprised of representatives from each child welfare agency as well as select internal and external stakeholders developed policies referenced in the CFSP. The DMG will direct the policy teams to respond to any policy refinement needs discovered through the continuous quality assurance and improvement process. Relevant PIP items are cross-referenced under CFSP objectives. APSR status updates are reported in the appendix attached and are cross referenced to PIP action step and benchmark activities.

## **Section II. Planning Process**

Nevada’s Child and Family Services on-site Review (CFSR) was completed on February 27, 2004. The final report was received June 2, 2004. Nevada has chosen to use the results of the Statewide Assessment and the Final Report Findings as the foundation for the development of the FY 2005-2009 CFSP. The Division of Child and Family Services has instituted a planning process for the Child and Family Services Plan (CFSP). The planning process has occurred in the following four phases:

### **Phase 1:**

The Division used the development of the Child and Family Services Statewide Assessment as an opportunity to identify critical areas to be addressed in the IV-B Plan and in preparation for the Program Improvement Plan (PIP). Internal and external stakeholders, including tribal entities, provided input through surveys and focus groups.

### **Phase 2:**

In January 2004 the Division partnered with the National Child Welfare Resource Center for Organizational Improvement (NCWRCOI) to participate in a training session on the principles of strategic planning and the purpose of integrating the five-year plan with child welfare, mental health and youth corrections in order to achieve better outcomes for children and families in Nevada. The federal requirements for planning, best practice for strategic planning and the logic model process was presented. The upcoming Child and Family Services Review was discussed, as the outcomes of the review will have direct impact on the five-year Child and Family Services Plan. Participants included statewide leadership from child welfare, mental health and youth corrections agencies. The 90 participants, included staff from the Division, representatives from Clark County and Washoe County, Rural Region, mental health services, juvenile services and UNITY, the Division’s Statewide Automated Child Welfare Information System.

**Phase 3:**

A smaller group of state and county policy and decision makers, along with the NRCWRCOI, met in March 2004 to design Nevada's planning structure and to clarify roles and responsibilities. Key stakeholders to include in plan development and oversight were identified.

**Phase 4:**

In April 2004, 156 internal and external stakeholders came together for a two-day training conference in Las Vegas to develop Nevada's five-year strategic master plan. The NRCWRCOI, in partnership with the Nevada Division Administrator and County Child Welfare Agency Directors, facilitated the overall planning process. Stakeholders were organized in Action Planning Groups that focused on a specific theme that covered one or more items identified from the CFSR. The Action Planning Groups then, through collaborative efforts, submitted specific objectives, action steps and evaluation criteria to the Division for analysis. This analysis was compiled and submitted to key participants, including the Division Administrator, other Division administrative staff, and Directors of county child welfare agencies for additional analysis. Information gleaned from this final analysis was incorporated into the five-year state plan and will also be incorporated into the Program Improvement Plan (PIP). The participation of all stakeholders in this collaborative effort was the key to the successful completion of the Statewide Five-Year Plan.

Action Planning Groups	
<ul style="list-style-type: none"> <li>• Safety</li> <li>• Planning</li> <li>• Assessment</li> <li>• Foster Care Placement and Adoption</li> </ul>	<ul style="list-style-type: none"> <li>• Service Array</li> <li>• Case Review/Legal System</li> <li>• Independent Living</li> <li>• Training</li> <li>• Data &amp; Quality Assurance</li> </ul>

Each action planning group was given the task to develop action strategies linked to outcome measures from the CFSR. Groups reported to all participants who in turn voted through an automated polling system on priority items for immediate action. The Action Planning Groups were facilitated by co-chairs who were responsible for the completion of the action plan from their group.

An array of statewide internal and external stakeholders participated in the Action Planning Groups. Regional participation was as follows:

Clark County	
Washoe County	
Rural Counties	

Internal Stakeholders
<p>Internal stakeholder participants represented state and county staff from child welfare, mental health and youth services from the following agencies:</p> <ul style="list-style-type: none"> <li>• Division of Child and Family Services</li> <li>• Washoe County Department of Social Services</li> <li>• Clark County Department of Family Services</li> </ul>

#### Phase 5:

Please refer to the PIP Quarterly report on PIP Communication Plan activities for additional information.

External Stakeholders	
Consumers	Juvenile Services
Parents	Clark County Juvenile Probation
Foster and Group Home Parents	Juvenile Justice Commission
Current and Former Foster Youth	Nevada Association of Juvenile Justice Administrators
Contract Service Providers, Tribal Entities and Nonprofit Organizations	University Partners
Boys and Girls Town	UNR School of Social Work
Stepping Stones Tribal Shelter	Boyd School of Law
Nevada Partnership for Homeless Youth	UNLV School of Social Work
Health Providers/Community Members	Legal Community
Medical Community Representative	Rural and Washoe County Judges
Family Counseling Services	Attorney General's Office
Mental Health Plan Advisory Committee	Chief District Attorney
Mental Health and Developmental Disabilities Committee	Court Improvement Project
Washoe County Mental Health Consortium	Washoe Legal Services-Attorney Representing Children
Child and Family Advocates	Public Defender's Office
Court Appointed Special Advocates	Other State Agencies
Children's Advocates	Nevada Governor's Office
Nevada PEP (Parents Encouraging Parents)	Division of Mental Health and Developmental Services-Rural Clinics
Division of Health - Bureau of Alcohol and Drug Abuse	Division of Health Care Financing and Policy-Medicaid

### **Section III. Child and Family Services Continuum**

#### **A. Child Abuse Neglect and Prevention**

##### Children's Trust Fund

Each state has created a State Children's Trust Fund with the specific goal of preventing child maltreatment. Each Children's Trust is charged with coordinating prevention activities by promoting and funding a variety of community-based programs (including CAPTA Title II). In 2003, a statewide restructuring of how grants are managed began under the direction of the Director of the Department of Health and Human Services (DHHS) and a Grants Management Advisory Committee. During the 2005 Special Legislative Session, State Assembly Bill 2 created a formal Grants Management Advisory Committee (Nevada Revised Statutes 232.282-.387), that provides funding recommendations to the Grants Management Unit (GMU) housed within the Nevada Department of Health and Human Services.

The GMU administers state and federal grants to local, regional, and statewide programs serving Nevadans. The Unit ensures accountability and provides technical assistance for social service and health related programs funded through the following six state and federal sources: Children's Trust Fund; Community Services Block Grant; Family to Family Connection; Family Resource Centers; Fund for a Healthy Nevada (tobacco settlement funds); and Title XX Social Services Block Grant. The goal of the GMU is to build on collaborative programming across funding sources, reduce administrative costs, streamline procedures, increase direct program funding, and increase accountability. In addition, communication with other state agencies such as the Welfare Division and the Division of Child and Family Services (DCFS) facilitate community-based programs to access additional funding, minimize administrative costs, and provide a greater percentage of funds to be used for direct services.

Children's Trust Fund grants were awarded to 26 agencies throughout Nevada for the period July 1, 2004 to June 30, 2005 for a total amount of \$1,400,000. Programs funded included family support programs through Family Resource Centers, parenting programs, home visiting programs, skills-based programs for elementary school students, and respite programs for families with children with disabilities, and statewide public awareness of child abuse.

Three respite programs were awarded grants from the Children's Trust Fund. These programs provide center-based and voucher respite programs for families with children with disabilities. One of the respite programs serves families in Reno, NV, while the other two programs serve families in the rural communities of Elko, NV and Fallon, NV where social services are often difficult to access. Also funded are support and educational programs for teen parents conducted in high schools and home visiting for families of infants and young children in underserved areas of Las Vegas and Reno. The programs that offer parenting classes make a concerted effort to recruit and include fathers in the programs.

Although specific activities were conducted during April 2005 as part of Child Abuse Prevention Month, a year-long Child Abuse Awareness campaign was coordinated by the Washoe County District Health Division (WCDHD) with \$300,000 from the Children's Trust Fund. The campaign used slide show ads in movie theaters in Las Vegas and Reno, English and Spanish radio ads, bus stop shelters ads, and print ads in Clark County, Washoe County, and rural Nevada Counties. The campaign's message communicated the signs of child abuse,

including both physical and behavioral signs, and urged the viewer/listener to call and report suspected cases of child abuse and neglect to a statewide hotline.

The Department and Division GMUs will increase collaboration related to the Title IV-B State Plan process through participation in IV-B RFP application review and award process. Additionally, any other identified collaborative activities with the Department related to statewide service delivery that will improve the outcomes for the safety of children is welcomed.

## **B. Intervention and Treatment Services**

### Child Protective Services

Nevada Child Protective Services (CPS) agencies conduct activities in preventing, investigating and treating child abuse and neglect in accordance with Chapters 432 and 432B of the Nevada Revised Statutes (NRS) and Nevada's Regulations for the Protection from Abuse and Neglect (NAC 432B). CPS agencies respond to reports of abuse or neglect of children under the age of 18. There are three distinct agencies that provide child welfare services: State of Nevada, Division of Child and Family Services (Division), Clark County Department of Family Services (CCDFS) and Washoe County Department of Social Services (WCDSS).

State and county CPS agencies are committed to building partnerships with local providers that supply an array of services to children and their families. CPS agencies partner with schools, law enforcement, Court Appointed Special Advocates (CASA), juvenile justice systems, community mental health providers, domestic violence programs, child death review teams and agency multidisciplinary teams. Although Nevada has an array of services that are provided either by a child welfare agency or by a contracted provider, the CFSR identified gaps in services, particularly mental health and substance abuse services. Not all services are always available in all areas of the state.

### Family Preservation Services

The State provides Family Preservation Services programs which are characterized by high intensity immediately accessible treatment and ancillary services for at-risk children and families. The goals of Family Preservation Services' programs are to reduce the risk of child abuse/neglect and thus eliminate unnecessary out-of-home placement of children and to strengthen the family to better care for the developmental needs of their children. Program staff provides crisis intervention, clinical assessment, and family preservation services to a protective services population in six areas: Washoe County, Clark County, Carson City, Fallon, Elko and Ely. The parents, including married couples and fathers, have better supports and resources to deal with stress and crisis within the family.

October 1, 2004 marked the culmination of years of work and planning to integrate child welfare services into a single agency. The full integration and move of over 150 staff and multiple programs from the State to the County was initiated to streamline operations and result in better outcomes for children. Foster care and adoption services are now a part of the same agency as child protective and shelter care services. Located together, duplication, disruptive moves and delays are minimized, and the timely placement of children in safe homes is facilitated in this arrangement.

Clark County Department of Family Services (CCDFS) continues to utilize an array of prevention services to help children at risk of abuse and neglect to remain safely with their families. These services include flexible funding to support families in areas such as rent, utilities, apartment deposit, bus tokens, food vouchers and other basic needs, and contract services with community agencies. Drug court remains another option for families where substance abuse is a contributing factor to child abuse or neglect. CCDFS maintains collaboration with community agencies, such as Safe House and Safe Nest, to provide services to high-risk families of domestic violence. Parent training classes are offered through numerous community agencies, as well as the Clark County Parenting Project.

CCDFS' Caring Communities Project, Systems of Care Initiative and Children's Bureau grant, sponsors the Kin Connections program where relative caregivers in the child welfare system are provided information, support, and mentors toward achieving the objectives of improving the safety, permanency and well being of children placed with kin and their caregivers.

Through a partnership with Nevada Health Centers, a federally qualified health center, expanded medical and dental services are provided to children in the custody of CCDFS. Services were initiated at Child Haven, the public shelter, and now mobile medical and dental services have expanded to the Neighborhood Family Services Centers through retrofitted buses. The "Just for Us" Purple Bus provides well and sick-child exams, immunizations, and dental screenings, vanishings and education. The Miles for Smiles bus provides dental exams and treatments. Services are available to clients of the NFSC partner agencies.

#### Washoe County

Washoe County Department of Social Services continues to contract with an array of service providers for substance abuse evaluations and testing, and psychological evaluations, testing and services, and independent living services (including before and aftercare case management and hard services). The use of Human Services Support Specialists (para-professionals) promotes family well-being by providing in-home life-skill services while assisting the family in connecting to community services. Washoe County utilizes Title IV B and TANF funds for its Family Preservation and Family Support services (\$70,000 of IVB funds and \$434,000 of TANF funds).

Washoe County maintained an agreement with the Washoe County Health Department for a full-time Public Health Nurse II during 2005, but that will change July 1, 2006, when the public health nurse position moves to Social Services and will continue to provide: Social Worker access for assistance with assessments of neglect; general health and welfare assessment regardless of a child's legal status; and developmental assessments. The social services agency continues to fund an Advanced Practitioner of Nursing position trained in forensic evaluations and child death reviews. Additionally, the Washoe County Health Department continues to support child abuse and neglect best practice by stationing a nurse in the permanency planning program area for a total of 32 hours per week. This position serves on multi-disciplinary teams and supports biological and foster parents in the medical care and education of dependent youth. The Nursing Unit works collaboratively with Social Work staff and community medical professionals and providers in the assessment of child abuse and neglect.



### Division Rural Region

Community providers receiving IVB funds are a primary source for pre-placement services for the Division's Rural Region. The DCFS Intensive Family Services staff, which provides both clinical assessments and home-based family preservation services, is also a significant pre-placement service. The Rural Region has four full-time Family Support Workers that are utilized similarly to the Human Services Specialist positions in Washoe County. The 2005 Legislature allocated 15 positions to enhance the Rural Region's service delivery. Two Social Work Supervisors, 11 Social Workers and two Support Staff were funded. Recruitment and retention of these positions is an ongoing challenge.

Other services utilized by the Rural Region include services available through other non-profit agencies, as well as Rural Mental Health Clinics, which include substance abuse counseling, domestic violence interventions, truancy, tutoring, parenting and prevention programs for children. County welfare programs are frequently accessed for temporary housing, vouchers for clothing, food, gas, utilities and transportation. Community coalitions exist in each Rural community in an attempt to increase availability and accessibility through coordinated efforts between public and private agencies.

### **Promising Practices**

#### Family Preservation Services

The State has operated Family Preservation Services (FPS) existing in nine sites throughout the state for over 10 years – Las Vegas, Mesquite, Pahrump, Elko, Fallon, Carson City, Hawthorne, Wells and Reno. Services, like other FPS programs, are brief, intensive, home-based and family centered. A longitudinal study of FPS began in 1998 and spanned 4 years of data collection. What has emerged from the longitudinal study is a database that contains information on 488 families and 742 children. Outcomes reflect that over 90 percent of the children remain safely in their homes 12 months after FPS services are terminated. As part of the integration of child welfare services, FPS services in Washoe County are now provided by WCDSS and in CCDFS.

#### Washoe County In-Home Support Services

The Washoe County Human Services Support Specialist (HSSS) program provides in-home support services. There are two levels of HSSS services. A HSSS II provides services to families, regardless of the children's legal status, at the direction of an assigned social worker. The objective of a HSSS II is to enhance household management skills through budgeting, parenting education, transportation etc., in conjunction with creating household stability by connecting families with community based programs (NSWD, Family Resource Centers, Medicaid, etc.).

The second category is called a Senior HSSS. Although service provision is the same, the primary distinction is that a Senior HSSS is the assigned case manager. The Department involves a social worker at the onset of the case to determine the level of intervention necessary. If the family is considered to be at low to moderate risk and is willing to voluntarily participate in preventative services, a Senior HSSS is assigned. The HSSS program works with families for three to twelve months to ensure successful transition from support and assistance to self-sufficiency.

### Clark County after Hours Unit

As of October 2004, another After Hours unit was added, expanding work capacity to nine investigators and two supervisors who respond to referrals of child abuse and neglect. CPS can now respond to referrals immediately with investigators and provide services until 10:30 p.m. daily and from 7:30 a.m. - 10:30 p.m. on weekends. CPS is better able to respond immediately to assess emergency situations and evaluate admissions that occur after normal business hours. A timely response by the After Hours Unit investigators increases the likelihood that the children will remain with family members as a resource during an investigation instead of being placed in an emergency shelter. The After Hours units are assigned a higher percentage of admission referrals than neighborhood units, which helps to balance workloads and enhances the efficiency of services provided by CPS.

Swing shift also assists day time units by doing welfare checks on children when the families cannot be contacted during the day time hours and when there are concerns as to a potential safety issue. Also the swing shifts are responsible for transporting children to the hospital/airport/doctor, and responding to emergencies that occur on open cases to assess safety and well-being of the children involved.

### Statewide Survey

The University of Nevada, Las Vegas (UNLV) School of Social Work undertook an extensive, statewide survey of foster parents between May 2005 and January 2006. A total of 226 foster parents were interviewed by telephone; 71.5% of which were from Clark County, 14.6 % from Washoe County and 13.9% from the remaining 15 counties in rural Nevada.

### Foster Care Services

Significant findings from the survey include; the majority (>57%) of foster parents reported satisfaction with the foster care system, an even larger number (>83%) felt their foster children were well matched to their family's strengths and the children's needs, and nearly 75% believed that caseworkers care about foster children and their families, are encouraging and compliment them on a job well done.

Recommendations centered around the need for additional resources; specifically additional agency staff to reduce caseload size, respite care and continued training opportunities for foster parents. Finally, it was suggested that foster parent feedback be sought on an annual basis to document the state's progress in making improvements. An action plan, in response to this survey was developed for all jurisdictions and approved by the Decision Making Group and will be monitored through the Decision Making Group process.

### Mental Health Consortia

The 2001 Legislature via NRS 433B.333 established a Mental Health consortium in three jurisdictions: Clark County, Washoe County, and the Rural Region (15 counties). The functions of the Mental Health Consortia are to assess the need for behavioral health, mental health and substance abuse services for children in each jurisdiction; to determine how well the current system is meeting those needs, and to develop an annual plan on how the need can be better met. This information is reported to the legislative committee on children and youth regularly.

The consortia estimated that approximately 23,360 children statewide are in need of behavioral health services and that 7,321 of these youth met the criteria for Severe Emotional Disturbance (SED). Of all the children who were screened and met the criteria of SED, more than half were receiving no behavioral health services. The three Mental Health Consortia conduct community-based assessments and update their annual plans.

A review of the consortia annual plans reveals early access and counseling were rated as the highest priority needs in all three jurisdictions and accessibility to mental health services is sometimes a barrier to reunification. All three jurisdictions identified a growing need for bi-cultural and bilingual staff to meet the needs of Asian, Hispanic, and Native American families. Of the children screened only 56.1 percent are receiving mental health services at the level of their need. Although counseling was rated as the most accessible service, it was still rated as accessible for just “some” of the children who are in need. There are concerns with the limited availability of Medicaid providers due to the structure of Medicaid reimbursements, procedures and filing requirements. Medicaid requirements and procedures were seen as a barrier to accessing treatment. The three Mental Health Consortia conduct community-based assessments and update their annual plans.

An important component previously in the continuum of children’s mental health services, DCFS’s agreements with residential treatment providers, came under sharp criticism for ineffectively serving Nevada’s foster care children with serious emotional disturbances (SED). This criticism centered on several factors; children in the child welfare agencies’ custody would often be moved to access services rather than having services come to them, in-home or community-based services were not considered or were not available to meet children’s needs (existing Medicaid providers not accepting new clients and/or chronic wait lists existing), a tiered payment system of residential treatment provider’s commonly forced multiple placement changes to children; these placements changes caused trauma and exacerbated attachment disorders than many children suffer from in the child welfare system. Therefore, the 2005 Nevada State Legislature mandated DCFS to transform children’s mental health services by December 31, 2005. This mandate prompted DCFS to contact Bazelon Center for Mental Health Law to assist with planning for change; convening a national panel of experts to address Nevada’s urgency for change; contracting with EP&P Consulting to assist with the restructuring of Medicaid rates; and Nevada was selected to attend the national conference Transforming Mental Health Care for Children and Families Policy Academy in August 2005. Nevada sent representation from DCFS, Medicaid, Nevada PEP, the Legislature, the Division of Mental Health and Developmental Services and the Department of Health and Human Services. This Policy Academy resulted in increased teaming and had a positive impact on advancing the behavioral health redesign. DCFS in partnership with the Department of Health Care Financing and Policy (HCFAP), and with input from the county agencies, mental health providers, family advocates and community providers implemented the Behavioral Health Redesign which took effect January 1, 2006.

#### Expanding Mental Health Services

The primary purpose of the Behavioral Health Redesign is to expand the capacity to serve both seriously mentally ill adults and seriously emotionally disturbed children in Nevada. Under the Redesign, treatment providers for DCFS were transitioned over to HCFAP’s provider system to standardize rates and enrollment of treatment services/providers. As of May 2006, provider enrollment across all provider types increased.

### Enhancing Treatment Service Rates

As of January 1, 2006, HCFAP assumed responsibility for direct payment of treatment services. A workgroup that included DCFS, HCFAP and residential treatment providers completed its work on rate methodologies and development of a core rate model for treatment homes as well as rates for other treatment services. Additionally, in an effort to assure that rates are sufficient, DCFS and HCFAP will consider a six month review of specific rates to check that providers are receiving acceptable reimbursement. Room and board is a non-Medicaid service. Thus, DCFS custody children are reimbursed through DCFS and non-custody children reimbursed through DHHS. However, to create a seamless billing process, providers' bill for room and board using the same billing process as Medicaid covered services.

### Utilization Management

HCFAP received approval to contract with a single utilization management entity to simplify Medicaid service authorization and to avoid any conflict of interest. First Health Services Corporation was contracted to provide utilization management for all children's mental health services covered by Medicaid. First Health hired Behavioral Health Program Coordinators to train and support providers through learning the authorization process and application of new regulations in clinical practice.

DCFS's Quality Assurance/Quality Improvement unit assisted Clark and Washoe county child welfare agencies with the transition and training in this new utilization management system and the revised Medicaid Regulations. DCFS transferred the value of six positions to the counties to assist in their ability to access treatment services. Two positions were transferred to Washoe County Department of Social Services and four to Clark County Department of Family Services. In addition, HCFAP was approved for an increase in two positions for quality assurance, provider recruitment and ongoing rates review and development.

### Creation of the Transforming Children's Mental Health Treatment Services in Nevada Steering Committee:

The Transforming Children's Mental Health Treatment Services in Nevada Steering Committee (Steering Committee) was appointed and assembled in June 2005. Its purpose was to provide leadership and oversight to the transformation process for children's mental health treatment services, advance the work of the Children and Adolescents Statewide Infrastructure Grant (SIG) project, and to advise on the behavioral health redesign. The initial plan was for the Steering Committee to meet monthly until December 31, 2005 when leadership would transition to the Statewide Consortium. However, in December the Steering Committee voted to continue meeting through 2006 until the implementation of the Statewide Consortium.

### Mental Health Services and Substance Abuse Services

The Division was one of seven national entities awarded a federal Substance Abuse Mental Health Services Administration (SAMHSA) five-year Child and Adolescent, State Infrastructure Grant (SIG) in the amount of \$3,749,380 to enhance the infrastructure and organizational competence for children's mental health services. The grant includes six new state positions, funding for contracts to reduce systemic fragmentation, technical assistance to improve Nevada's behavioral health financing, stipends for increased family involvement, monies to support systems performance evaluation, and the establishment of a state-level mental health consortium.

The SIG positions include a grant coordinator, a program evaluation specialist, cultural liaison and workforce development coordinator. The first year of the grant was devoted to supporting the Mental Health treatment transformation initiative. SIG staff facilitated various workgroups and coordinated contract services identified to support the redesign. SAMHSA completed the first year on-site review in November and the second year application was approved. The State, in collaboration with SAMHSA, have identified five areas to focus on for the third year with the support of technical assistance: financial assessment, leadership, workforce development, cultural competency and co-occurring disorders.

### Early Childhood Services

Early Childhood Services provides behavioral health services to children ages 0-6 with identified treatment needs and their families. Early Childhood Services partners with Head Start, Child Care Assistance Programs, Child Protective Services and child care centers to provide comprehensive, individualized, family-centered treatment services which support family relationships and enhance children's mental health. Early Childhood Services programs are part of the Neighborhood Care Centers in Southern Nevada.

### Division of Mental Health and Developmental Services

The Division of Mental Health and Developmental Services (MHDS) provides services to SED children and adolescents who are in rural area through the operation of its Rural Clinics satellite offices. Complementing these, the Division Intensive Family Services continues to provide crisis services, case management, and family preservation services in rural Nevada communities. The Division's rural regional administration works closely with MHDS to provide effective children's mental health services. The two state-operated, community-based clinics, Southern Nevada Child and Adolescent Services (SNCAS) in Clark County and Northern Nevada Child and Adolescents Services (NNCAD) in Washoe County provide early childhood services, outpatient and case management services, day treatment programs, residential treatment services, and crisis residential services. In addition, school-aged children and adolescents are linked to providers offering therapeutic foster care, group care, and residential treatment and inpatient hospitalization services.

### Substance Abuse Services

In addition to the substance abuse services described in Sections III and IV, Nevada has a partnership with the Bureau of Alcohol and Drug Abuse (BADA). The Division recently collaborated with BADA and received grant funding addressing the issue of juvenile delinquency and substance abuse. The grant was designed to take a comprehensive look at the substance abuse prevention and treatment services for juvenile offenders. The grant includes funding allocations for assessment, prevention, and treatment projects. One of the intents of this initial partnership with the Bureau of Alcohol and Drug Abuse is to generate

more future opportunities for collaboration and funding of ongoing assessment and treatment services in the training centers and at youth parole.

### Housing Services

Focus groups conducted for the CFSR statewide assessment in Washoe, Clark County, Carson City, and Fallon listed housing services as a barrier due to the fact that housing vouchers are limited and the amount cannot meet the needs of the community. The following results were received:

Forty-four percent of focus group participants feel that there are housing assistance services available, but they are not accessible, while an additional 29 percent see no housing assistance services in the community;

Seventy-seven percent of participants feel that housing assistance services are of critical importance in the community. Additionally, when housing services, such as flexible funds are available they are typically limited to a one-time use or restricted to once every six-months;

Utilities assistance services are also seen as available but not accessible (48 percent) but critically important (40 percent) in the community; and

Twenty-nine percent of participants feel that cash assistance (monies available to assist with rental needs, utilities, groceries or other family needs) is not available in their community, but they are important (57 percent).

### **Promising Practices**

#### Drug Courts (PIP 35.2)

Often issues that are brought to Family and Juvenile Courts involve substance abuse by parents or children. In Clark County, the District Court-Family Division has established drug courts to aggressively address drug issues. There is the Juvenile Drug Court, which addresses the treatment needs of delinquent children who abuse drugs. The Dependency Drug Court addresses the needs of abusive or neglectful parents whose children are involved with the dependency court.

The Eighth District (Clark County) was the first Court in the nation to establish a juvenile drug court and a child support drug court. Drug courts are also being utilized in the First District (Carson City/Storey), Third District (Churchill/Lyon), Ninth District (Douglas)-Sierra Region; Second District-(Washoe); Fourth District (Elko)-North Central Region with a proposal to develop a drug court in the Sixth District (Humboldt/Lander/Pershing). The drug courts require the frequent oversight of participant(s) by the Judge or Court Master, frequent drug testing and clinical treatment services.

In Clark County, the District Court/Family Division has established the Dependency Drug Court, which addresses the needs of abusive or neglectful parents whose children are involved with the Dependency Court. Utilization of drug courts, which require the frequent oversight of participants of the Judge or Court Master, frequent drug testing and clinical treatment services, has proven very successful in terms of assisting numerous participants who are truly dedicated and committed in reaching their ultimate goal of overcoming drug abuse. Additionally, participants can provide information regarding their status in drug court, in cases where children have been removed from the home, and the court in the dependency case has a much better idea of whether reunification is a viable option for the family.

Washoe County's Family Drug Court seeks to ensure child safety by providing treatment and services to parents with substance abuse problems. The goal is family reunification when appropriate, but alternative permanency placement plans are used as needed. Washoe County Department of Social Services refers 100 percent of the court's cases. The Nevada State Legislature, 2nd Judicial District Court, Washoe Co. Department of Social Services, Foster Grandparents Program, various private foundations help to support a self-pay (sliding scale) program. The court has access to two programs, one of which provides a family housing facility, which includes men, with a target of transitioning families into permanent housing within approximately one year of entering the housing program. Graduated sanctions are used including community service, essays, increased treatment and urine testing, restrictions and civil contempt (up to 25 days in jail).

#### Family Peace Center Project and Other Visitation Improvement Efforts

The Family Peace Center Project is continuing in the 2nd Judicial District in Washoe County. With the initial assistance of Court Improvement Project funding, three tracks of visitations are scheduled for people from CPS, and those tracks are full all of the time. Extending hours and scheduling tracks in the evening hours have made it more convenient for families to utilize. The program is now funded by the Washoe County Department of Social Services (approximately \$49,000), and through the Safe Haven Grant that provides supervised visitation to families where domestic violence occurs.

As a result of the success in the 2nd District (Washoe), a similar effort was begun in the 9th Judicial District (Douglas) through the CASA program called the Visitation Exchange Program.

#### Project WIN for Children and Families - Wraparound In Nevada (PIP 23.9)

The Wraparound process is a strength-based, family centered model used to improve the quality of life for youth and families who have complex needs. The model is not a program or type of service but is intended to be a unified response around a common mission that allows for youth and family participation. The use of wraparound services results in individualized planning through the support of unique community services and natural support systems.

This model was introduced to Nevada in the spring of 2002 in response to the Nevada State Legislature (Assembly Bill 1) and as a support to youth in the child welfare system with complex mental health needs. The initial implementation involved a total of 33 youth with an additional 294 youth who were included in the second phase-in period. Since that time, Nevada has increased its statewide capacity to provide wraparound support and services to an average of 500 SED children per month.

DCFS' nationally recognized "promising practice" program, Wraparound in Nevada (WIN), provides intensive community-based services to SED children who are in the custody of the child welfare system. These behaviorally challenged youth come from families who struggle with complex personal challenges in addition to difficulties keeping their children safe and free from harm. In addition to addressing mental health needs, services support the achievement of permanency for these youth through reunification with their families, guardianship with relatives, adoption or successful emancipation in all three regions statewide. Mental health care for these youth is essential to the success of achieving permanent placements. The WIN program achieves powerful outcomes in unique ways.

WIN focuses on the strengths of each family member to move them forward to independence and self-sufficiency without life long dependence on mental health professionals. Families become equal participants in their plan of care as they move towards independence.

WIN uses common sense interventions to help families overcome barriers to caring for SED children at home. Helping families address basic needs (e.g. housing and transportation) and reestablishing community support from extended families, friends, and the faith community are two primary ways that WIN empowers families to achieve independence and meet the needs of SED children.

WIN ensures that all community members and professionals work together in a seamless way to streamline services, avoid duplication of services, and communicate clearly with families and children.

WIN ensures that relative, guardians, and adoptive parents identify needs and find solutions that insure permanency when a child cannot return home.

Untreated Serious Emotional Disturbance in children is a major reason for disrupted permanency. The following outcome data exemplifies the point that addressing mental health needs is essential to achieving these permanent placements for youth in the child welfare system.

**Fact:** 68.5% of the 216 youth discharged from WIN achieved permanent living environment placements.

**Fact:** 43.1% of the 216 children discharged from WIN were placed back in their family homes.

**Fact:** 25.4% of the 216 children discharged from WIN were placed with guardians, relatives, and adoptive homes or were established in independent living.

Wraparound facilitators were hired statewide to provide WIN services. The Division used temporary contract employees to fill the wraparound positions. The 2005 Nevada State Legislature approved the conversion of the 66 temporary contract staff to permanent state positions in order to sustain a stable work force, improve continuity of care to children and their families, and increase positive outcomes. The State positions transitioned in three phases, October 2005, January 2006, and April 2006.

#### Foster Care Licensing, Recruitment, and Training (PIP 9.5)

As of July 1, 2005, Parent Resources for Information, Development and Education (PRIDE) will be used as the curriculum for foster parent training, which mirrors the training that is taught to the professional staff. The Spanish-language version of the curriculum was also purchased. All training sessions are co-taught by current and/or former foster/adoptive parents, along with State or county professional staff. A Division Social Service Program Specialist facilitates meetings between the Recruitment and Training staff from each of the three child welfare agencies, as necessary. During these meetings, resources are shared, issues resolved, and



efforts are coordinated on a statewide level. The selection of curriculum and the addition of training resources are also discussed during these meetings. The workgroup includes staff representatives from the following agencies:

- Division of Child and Family Services
- Washoe County Department of Social Services
- Clark County Department of Family Services
- University of Nevada, Reno (UNR)
- Foster parent associations

Potential resource families are required to complete orientation and foster parent training prior to licensure. According to regulations, foster parents are required to obtain a minimum of eight (8) hours of initial training. Upon analysis, each agency providing child welfare services have agreed that families need additional training in order to adequately care for foster children. The newly adopted PRIDE curriculum is a twenty-seven (27) hour program that consists of nine (9) three-hour sessions. This training is provided statewide. The process provides an opportunity for families to obtain pertinent information to make an informed decision as to whether or not to continue pursuing licensure.

The listing below outlines the required course topics offered through PRIDE during the pre-service training:

- Session One – Connecting with PRIDE
- Session Two – Teamwork Toward Permanence
- Session Three – Meeting Developmental Needs: Attachment
- Session Four – Meeting Developmental Needs: Loss
- Session Five – Strengthening Family Relationships
- Session Six – Meeting Developmental Needs: Discipline
- Session Seven – Continuing Family Relationships
- Session Eight – Planning for Change
- Session Nine – Taking PRIDE: Making an Informed Decision

Training is a critical part of the recruitment plan. The staff members who implement the recruitment plan are the same staff that provides the training. Once families contact the agency, the training process is used to increase their understanding and to assist them in deciding if foster care or adoption is the right choice for their family.

Clark County Department of Family Services (CCDFS) employs one full-time trainer and contracts for experienced foster parent co-trainers. Seven sessions are offered each week, including; daily, except Sunday and two sessions on Wednesday. Training materials are available in Spanish, in addition to the provision of translation services. CCDFS also offers a “Fast Track” option with all-day Saturday classes. To date, 5,622 applicants have completed the 27 hour PRIDE training in Clark County.

Washoe County Department of Social Services (WCDSS) employs three full-time recruiter/trainers and utilizes five experienced foster parent co-trainers. PRIDE training is offered on a monthly basis in English and quarterly in Spanish. To date, 105 applicants have completed PRIDE training in Washoe County.

The Division of Child and Family Services provides PRIDE training to prospective foster parents in the remaining 15 rural counties. In Carson City, the largest of the rural counties, training is offered on a monthly basis. Training is offered on a rotating basis in other communities across the state; with each location being served quarterly. To date, 105 rural Nevada applicants have completed PRIDE training.

#### Advanced Training (PIP 29.3)

Licensed foster families are required to complete four (4) hours of continuing education on an annual basis. The families achieve this through the use of books, videos, available web-based training, i.e., [www.fosterparents.com](http://www.fosterparents.com), community-based training, State and county sponsored training, seminars, workshops and conferences. In addition, WCDSS works in collaboration with the Sierra Association of Foster Families (SAFF) to provide advanced training at monthly association meetings.

The state has developed an advanced foster parent training, based on the Child Welfare League of America's (CWLA) PRIDE curriculum competencies. This particular training module addresses the roles and responsibilities of foster parents related to Court, and are being offered in all regions, beginning with a statewide video-conference kick-off which began on April 27, 2006.

Advanced training also occurs through the efforts of the Nevada Training Partnership at the School of Social Work, University of Nevada, Reno (UNR) and the School of Social Work, University of Nevada, Las Vegas (UNLV). Each university sponsors an annual one-day conference with a nationally recognized keynote speaker and breakout sessions on relevant child welfare topics.

Nevada was found to be in substantial conformity for the systemic factor of Training. A formal initial training program for all new staff child welfare workers includes a shadowing and mentoring component, requires ongoing training for staff and supervisors; and provides training for current and prospective foster parents, adoptive parents, and staff of licensed facilities that care for children.

#### Supervisory Training

A Nevada expert was identified and contracted to provide one-on-one training, coaching and mentoring of supervisors statewide. As of March 31, 2006, he has met with each supervisor multiple times and modeled facilitation of Child and Family Team meetings with every supervisory unit in the state.

A national consultant was been contracted to conduct assessments/surveys of supervisors and caseworkers in the Rural Region of DCFS and determined specific training needs. The results of this assessment have been shared with supervisors and managers, and meetings are occurring to develop learning labs for supervisory training. This process will be replicated for Washoe County department of Social Services and Clark County Department of Family Services. The contract is in the process of initiation at this time.

It is intended for this to be a model for implementation of continuous, on-going statewide supervisory training that will build solid management skills, enhancing the capacity of supervisors to realize quality performance from caseworkers, develop an effective work team and recruit and retain quality staff. University staff, from the Nevada Partnership for Training,

will meet with the consultant to use the model for statewide assessment and planning. The resultant training will then be integrated into the pre-service Academy and periodic in-service for both new and experienced supervisors (PIP 33.2).

### **Promising Practice**

#### Social Worker/Foster Parent Design Team

In Reno, the training coordinator facilitated a workgroup, or design team, in 2002 consisting of social workers and foster parents to identify those practices that encourage better collaboration and improved relationships between social workers and foster parents. It is well known that improved teamwork between social workers and foster parents results in better outcomes for foster children (either in reunifying with their families or in finding other permanent families) but such collaboration is often difficult. This design team developed a workshop curriculum (including Power Point presentation) to encourage improved teamwork between foster parents and social workers. This workshop was co-taught by a foster parent and social worker and offered to child welfare staff and foster parents. This beginning effort to address the teaming of foster parents and social workers was very well received. The curriculum is now being reviewed for consistency with new policies and practices related to the PIP and will be revised as necessary for inclusion in ongoing advanced training for foster parents and staff in-service training.

#### Kinship Care and ICPC

The 2001 Legislature passed AB15, a kinship care bill jointly supported by the Welfare Division and DCFS. The Temporary Assistance to Needy Families (TANF) subsidized guardianship program has been operational since October 2002. In an effort to support permanency for children, the legislation allows for any specified relative over the age of 62 who is caring for a relative child and who has legal guardianship to receive TANF assistance up to the amount of the state foster care payment. They receive medical assistance through Medicaid, respite care, childcare, and other services. This program does not require that the child be in the custody or care of a child welfare agency. It is open to any qualifying relative guardian. Other requirements are included to assure the safety of the child and to provide support services to the families. As mentioned in the Foster Care Licensing section previously, relatives who wish to receive a foster care maintenance payment must meet the same licensing requirements as family foster care. During Nevada's current State Fiscal Year (July '05-June'06) kinship assistance has been awarded to a monthly average of 232 TANF kinship Care families, supporting and average of 376 children.

#### Kinship Care Study

The results of a comprehensive, three-year study of kinship care in the state of Nevada was used as the basis for the Caring Communities Demonstration Project needs assessment which have been comprised from over 750 statewide responses. The Kinship in Nevada (KIN) project is a joint endeavor of the Division, CCDFS and the University of Nevada Las Vegas, School of Social Work (UNLV – SSW).

The needs assessment is based on the experiences of three types of caregivers: (1) TANF Kinship Caregivers and/or Non-needy Caretakers; (2) Community-at large; and (3) Child Welfare Relative Caregivers. The Kinship in Nevada (KIN) needs assessment consisted of three phases: (1) Phase I – July 1, 2001-June 30, 2002 involved the use of the Delphi Technique to ascertain the perceptions and experiences of a group of fifteen relative caregivers; (2) Phase II – July 1, 2002-June 30, 2003 consisted of a series of focus groups

designed to uncover the needs and perceptions of relative caregivers; and (3) Phase III – July 1, 2003-June 30, 2004 employed a comprehensive mail survey developed from the results obtained in Phase I and II.

### **Salient Findings**

**Service needs:** With the exception of two service needs (i.e., transportation and someone to attend school IEP meetings) each service category was expressed as a need by the majority of child welfare caregivers. The top ten service needs include: a monthly subsidy, training on legal issues, information and referral, recreational opportunities for the children, medical insurance for the children, classes about dealing with the children's behavior problems, help applying for services, assistance accessing dental care for the children, assistance accessing health care for the children, and assistance securing emergency funds.

**Permanency Intentions:** Overall, caregivers are split with regard to the issue of adopting their relative's children. Some (16.2%) have already adopted the children, 28.2% plan to adopt, and 29.9% say they are likely to adopt in the future. About a fourth of the respondents (25.6%) say they are not likely to adopt or have already made the decision not to adopt the children. The main reasons given for not wanting to adopt were because they did not want to terminate their relative's rights (13.8%), they wanted the children to return home to their parents (12.2%), and they were content with the current foster care arrangement (11.4%). Some did not have the financial resources (11.4%) while others felt their relative was going to get things together and then be able to assume parenting duties (8.9%).

For the sake of brevity, this summary does not include the findings for the TANF Kinship Caregivers and/or Non-needy Caretakers or the Community-at large caregivers. A complete executive summary is available upon request.

The final report and executive summary of findings were submitted to DCFS in October, 2005. The results of the study have been utilized in the following ways: (1) this study served as the basis for the needs assessment of kin caregivers for Clark County Department of Family Services Caring Communities strategic plan, (2) aided in the development of the Kinship Connections Program (particularly the trainings, workshops and support groups developed), (3) assisted Clark County Department of Family Services in prioritizing service needs of kin care givers for a community donor who provided a major gift to the agency, and (4) served as the basis for the development of child welfare courses.

The Kinship Care Study has been folded into a cooperative arrangement with the Clark County Department of Family Services. The data from the study assisted CCDFS in planning their Caring Communities Project. CCDFS provided stipends to research participants for their involvement in the study, and finally, the results of KIN needs assessment continue to inform the work that is done in the Caring Communities Project.

The major emphasis of this project in 2005 was to make recommendations for systemic improvement. Caring Communities project members and UNLV evaluators worked together to develop a list of major policy and program recommendations.

The following table of Program and Policy Implications is an example of some of the identified needs from the needs assessment and the policy and program responses that have occurred as a direct result of this study:

#### Needs Assessment

Services currently exist or there is planning in process that addresses many of the caregivers' expressed needs. The tables below are a depiction of the system level services and supports that are in place to address the top ten expressed service need, child needs and caregiver capacity.

#### Caregiver Expressed Service Needs

Salient Findings	Program and/or Policy Response
Medical insurance for the children	Medicaid coverage is provided for children in DFS custody. Plans will be made for caregivers to receive more detailed information about access to medical care
Monthly subsidy	Currently, a subsidy is available to licensed foster parents, TANF non-needy caretakers, and TANF Kinship caregivers
Training on legal issues related to children's care	Foster parent training, PEP educational classes and DFS caseworker
Recreation opportunities for the children	Kinship mentors and DFS caseworkers can provide referrals
Assistance accessing dental care	Medicaid hotline distributes a list of providers. Starting October 2005 there will be a mobile dental unit.
Information and referral	Kinship Coordinators and DFS caseworkers provide this service
Assistance securing emergency funds	DFS has emergency funds
Assistance getting school supplies	DFS caseworker and Kinship coordinators provide linkages to resources
Classes about dealing w/children's behavioral challenges	Foster parent training, PEP educational classes and, DFS caseworker address this need
Assistance accessing health care for children	Medicaid hotline distributes a list of providers

### Caregiver Perception of Children's Needs and Well-being

Salient Findings	Program and/or Policy Response
Difficulties in school (academic and behavior challenges)	Kin mentors, school district representative, Child Focus and the Healthy Kids Safe Schools grant provides a School/Child Welfare Liaison
Counseling services for children (emotional, behavioral, psychological disorders)	PEP Family Specialists work with the DCFS to provide supportive services. Mohave Mental Health provides clinical services, DFS and families with Medicaid can access private providers
Lack of male influence/involvement	There are community resources that address this need
Lack of benefit from visitation w/biological parents	The "Visitation" section of the PIP includes a detailed description of a plan that is in process. CASAs assist with visitations. A "Visitation Center" is being planned
Lack of consistent visitation/contact w/siblings	The "Visitation" section of the PIP includes a detailed description of a plan that is in process. CASAs assist with visitations. A "Visitation Center" is being planned

## Caregiver Readiness and Capacity

Salient Findings	Program and/or Policy Response
Opportunities to network w/other caregivers	Nevada PEP support group and the joint PEP – DFS sponsored foster parent training addresses this need
Support and educational classes	PEP has developed a kinship curriculum. Joint PEP – DFS sponsored foster parent training addresses this need
Concern about caregiver's effectiveness as a parent	PEP has developed a kinship curriculum. Joint PEP – DFS sponsored foster parent training addresses this need
Skill-based support for dealing w/emotional needs of children	PRIDE curriculum, PEP Kinship training and DFS caseworkers support caregivers by teaching them how to address the children's problems

### Promising Practice

#### Clark County Kinship Care System of Care Grant (PIP 15.2)

Clark County is in its' second year of a five-year Caring Communities Demonstration Project Grant awarded in October 2003. The Grant is designed to utilize the Systems of Care principles to increase placements with, and supports for, relatives when children must be removed from the home, and improving the safety, stability, timely permanency and well-being for children in kin care. Kin Care Coordinators are located at each of five community-based Neighborhood Family Service Centers. They recruit, train and sustain a culturally/linguistically diverse network of volunteer kin care mentors, with prior experience as caregivers to provide home-based support to new caregivers and assist mentors to facilitate orientation and support groups for kin caregivers.

During this review period, referrals to the Kinship Connection program have increased considerably. More referrals have been received in the past six months than in the previous year. Increased referrals are attributed to efforts made to engage the kin caregiver at the initial point. Staff assigned to complete diligent searches for a child's relatives has been expanded to one full-time position; and two part time positions. This has resulted in an increase in the number of children placed with relatives. From October 2005 through March 2006, 492 relative searches for 683 children were initiated, resulting in 143 kinship placements. For all children in the custody of the Clark County Department of Family Services who are not living with parents, 32% reside in kinship care.

Nevada Parents Encouraging Parents (PEP) has four trained volunteer Kin Care Mentors who provide peer support to kin caregivers. Four Kin Care Coordinators employed by Nevada PEP link mentors with the caregiver through a Neighborhood Family Service Center closest to the family's residential area. Mentors provide support through telephone contact and home visits with the caregiver. Kinship care support groups are held monthly at four of the five

Neighborhood Family Service Centers. Support group meetings for the fifth site are planned in the near future.

Clark County Department of Family Services foster care trainers and Kin Care Coordinators co-train a kinship class for caregivers seeking foster care licensure. This kinship-specific class has been added to the PRIDE training curriculum and is one of four required classes for relatives seeking licensure. The class is offered twice monthly; and, in January Nevada PEP began offering kinship orientation sessions at Neighborhood Family Service Centers for kin caregivers not seeking licensure.

Ongoing meetings with stakeholders are held on a regular basis. The Citizens Advisory Committee (CAC) meets quarterly and receives regular updates on the Caring Communities Project. The Kin Care Subcommittee of the CAC, meets on a monthly basis and serves as the working committee for the project. The Evaluation Work Group meets monthly to address data collection and its' implications. The Implementation Work Group also meets monthly to discuss Kinship Connections activities. These smaller work groups brings ideas and plans, they have developed, back to the larger groups. All committees and work groups include a diverse group of stakeholders including community agencies, family representation and child welfare staff.

In response to the Kinship Care Needs Assessment, a local charitable foundation donated \$250,000 (@25,000 over 10 years) to assist in meeting the needs of children being placed with relatives. Services funded through include, but are not limited to: food, clothing, child care supplies, children's furniture, educational fees, licensed child care, medical care and prescriptions not covered by Medicaid or other medical insurance, and public transportation.

To support Nevada's policies for increased Child and Family Teams (CFT), monthly unit based consultations began in August 2005. These consultations have allowed each Child Protective Service and Permanency Units to meet with a consultant to gain practice skills for CFTs and strength-based documentation. Supervisors as Coaches training has been utilized to assist supervisors in their role as coaches to staff and in receiving hands-on practice in facilitating CFTs. Ongoing consultation is provided for new staff and as support to experienced staff and supervisors.

In March, 2005, Cultural Competency Assessments of CCDFS practices and policies were distributed to DFS staff, leadership and administration. Clark County DFS (Department of Family Services) utilized the Child Welfare Cultural and Diversity Assessment as provided by the Child Welfare League of America (CWLA). The surveys purpose was to gather information regarding the respondents' perspectives on Clark County's cultural competency. Participants were asked to complete the survey that best matched their role in relation to the Department of Family Services. Respondents were asked to rate each statement on a Likert scale of one to five, with five being "always" and one being "rarely". The surveys were collected in the fall of 2005, analysis conducted in November, and the final results of the survey were posted in December of 2005. As expected, rankings and results were mixed among the various groups responding. In general, all groups surveyed were in agreement about Clark County's respect for culture, diversity and rights of youth and families. The majority of the respondents also gave high rankings to "the agency's quality of service delivery in communicating in the customers' primary language". Results of the survey also highlighted areas in need of



continuing focus. These areas are; “DFS will continue to consider cultural factors when planning and delivering programs and services” and, DFS will continue to consider cultural factors such as language, race, ethnicity, customs, family structure, sexual orientation, and tribal/community dynamic when delivering programs and services. The results of this self assessment survey will be utilized to inform the statewide cultural competency work group.

#### Interstate Compact on the Placement of Children

The Division provides statewide administration of the Interstate Compact on the Placement of Children (ICPC) Program. Regional child welfare staff in all Division Field Offices as well as Clark County and Washoe County provides direct ICPC services.

Chapter 127.330 of the Nevada Revised Statutes incorporates the text of the Interstate Compact on the Placement of Children. The Compact is a uniform law that has been enacted by all 50 states, the District of Columbia and the U.S. Virgin Islands. It establishes procedures for the interstate placement of children and fixes responsibilities for those involved in placing the child(ren). The Compact Law defines the types of placements covered by the law, the persons, or agencies that must follow compact procedures, and the requirements and the protection offered by the Compact. The intent of ICPC is to ensure protection and services to children who are placed across state lines for foster care, adoption, or institutional care. Each state, including Nevada, may be the sending or receiving state. The Compact applies to four types of situations in which children may be sent from one state to another:

- Placement preliminary to an adoption;
- Placements into foster care, including foster homes, group homes, residential treatment facilities, and institutions;
- Placements with parents and relatives when a parent or relative is not making the placement; or
- Placements of adjudicated delinquents in institutions in other states.

To achieve its goal of ensuring suitable placement environments for children placed interstate, the compact:

- Requires notice and evaluations of the suitability of a placement before it is made;
- Allocates specifically the legal and administrative responsibilities during the time of the interstate placement;
- Provides a basis for enforcement of rights and responsibilities of the sending and receiving parties; and
- Authorizes joint actions of the administrators in all party states to further the effective and efficient operations and services for children in interstate placements to ensure that their safety, well being and permanency needs are being met.

Nevada ICPC collaborates nationally with all other states, the District of Columbia and the U.S. Virgin Islands. Nevada ICPC's Deputy Compact Administrator serves as the statewide point of contact and liaison with other states' compact administrators and ICPC liaisons; with other federal, state and local agencies (instate and out-of-state); and with national organizations and agencies. The Deputy Compact Administrator serves as a voting member at annual meetings of the Association of Administrators of the Interstate Compact on the Placement of Children. The Deputy Compact Administrator and Alternate provide technical assistance and

consultation pertaining to ICPC to Division and Department staff; staff of other federal, state and local agencies (instate and out-of-state); professionals (including attorneys, judges, court staff, physicians, and other service providers); and clients or prospective clients.

ICPC staff continues to meet regularly with IMS staff in an effort to develop enhancements to our SACWIS system. The requested enhancements included adding new referrals into UNITY windows, sending alerts when youth are within six months of exiting care, recording placement disruptions, expirations of home study approval alerts, due dates for priority home studies (Regulation 7s), standard home studies, and reminders when quarterly supervisory reports are due. This collaborative effort has been an ongoing activity to support the collection of ICPC data as well as provide baseline data for program development and quality assurance. In 2005 several enhancements have been developed and deployed as a result of our collaborative efforts with UNITY, allowing ICPC to enter and track more case specific details.

IMS (Information Managements System) has been unable to integrate the AAICPC (Association of Administrators of the Interstate Compact on the Placement of Children) database with our existing SACWIS system. IMS has created enhancements to the existing system to allow ICPC to track additional information, assisting us in the collection of valuable statistical information. ICPC staff continues to work closely with IMS to improve our collection of statistics and program evaluation. Since the two systems are not compatible, ICPC plans to implement the new stand-alone database for the purposes of maintaining our own statistical data and records. Prior to this implementation, ICPC data has been manually calculated on a quarterly basis.

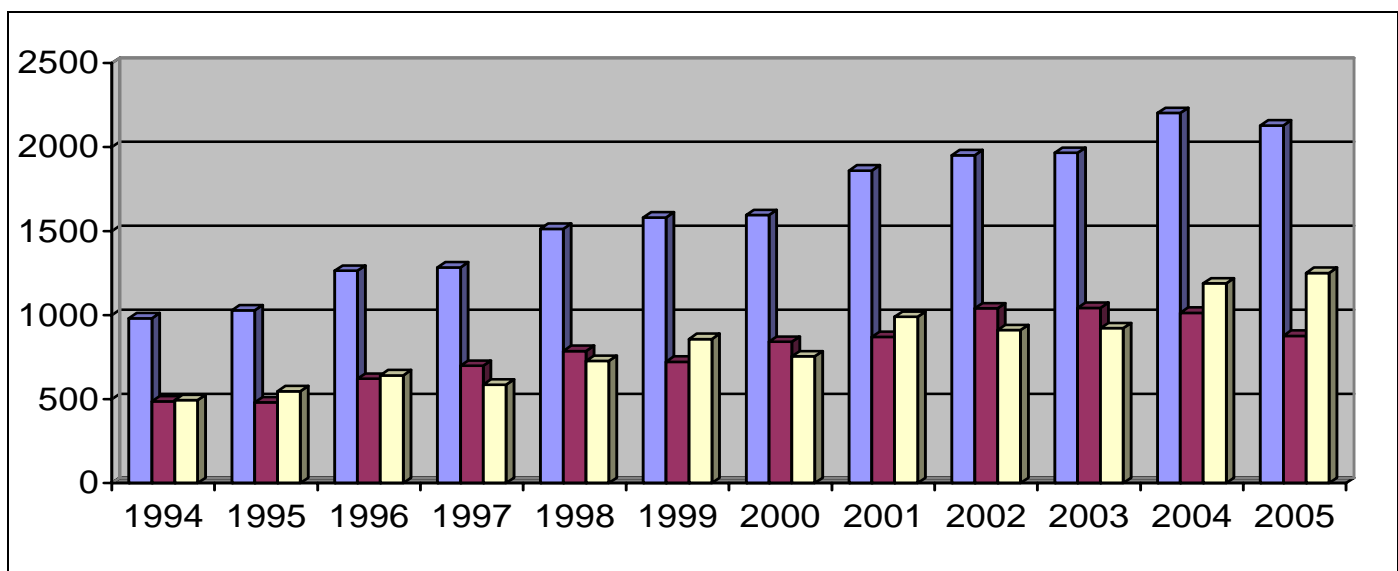
During 2005 three separate drafts of the proposed revised Interstate Compact on the Placement of Children were sent out state-wide for comment and detection of possible conflicts with Nevada laws. The feedback received was then transmitted back to APHSA (The American Public Human Services Association) for consideration in the subsequent revisions. Input and feedback was received from all levels of our child welfare agencies, including our Administrator and Deputy Attorney Generals office. We expect to be introducing this new Compact into our next legislative session for adoption into our State's statutes.

Nevada's rapid and sustained growth has contributed to many children being referred into and out of Nevada for interstate placement. As evidenced in Chart 1, Nevada anticipates processing approximately 500 new ICPC placement requests per quarter and providing ongoing ICPC Administrative services to an open caseload of over 1800 children.

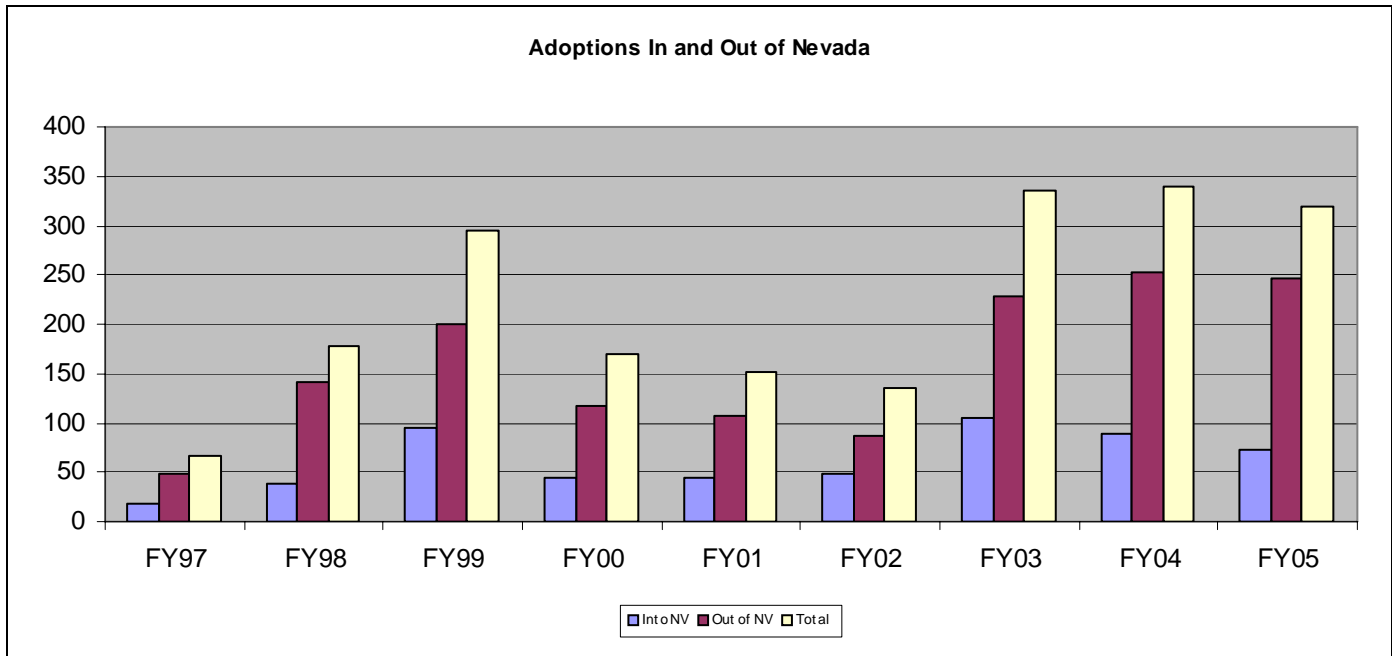
**CHART 1. BREAKOUT OF TOTAL ICPC PLACEMENT REQUESTS  
PROCESSED BY FISCAL YEAR**

FISCAL YEAR	RECEIVED INTO NEVADA	SENT OUT OF NEVADA	TOTAL
1994	487	494	981
1995	481	547	1,028
1996	621	642	1,263
1997	698	586	1,284
1998	786	727	1,513
1999	723	858	1,581
2000	841	754	1,595
2001	870	990	1,860
2002	1,040	911	1,951
2003	1,043	922	1,965
2004	1,014	1,188	2,202
2005	877	1,251	2,128

**CHART 2. ICPC REQUESTS BY FISCAL YEAR**



**CHART 3. ICPC ADOPTIONS FINALIZED BY FISCAL YEAR  
(INCLUDES SPECIFIC, PUBLIC AGENCY, AND PRIVATE AGENCY ADOPTIONS)  
NEVADA INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN (ICPC)**



**CHART 4. ICPC ADOPTIONS**

FY ADOPTIONS	RECEIVED INTO NV	SENT OUT OF NV	TOTAL ICPC
FY96	16	39	55
FY97	18	48	66
FY98	39	141	178
FY99	94	200	294
FY00	45	118	169
FY01	45	107	152
FY02	48	87	135
FY03	106	229	335
FY04	88	252	340
FY05	73	247	320

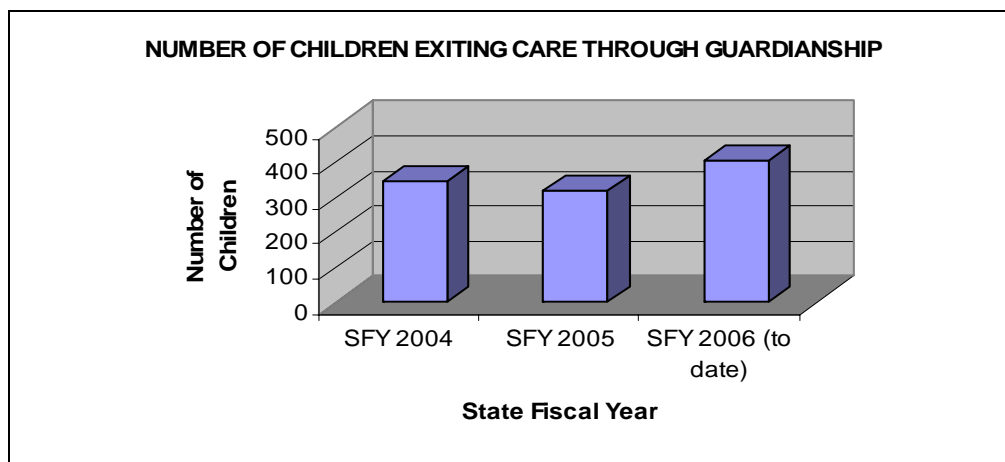
## Guardianship

During Legislative Session 2003, State Assembly Bill 273 was passed and became effective October 1, 2003. The bill established a procedure in Nevada Revised Statute (NRS) 432, Administration; Nevada Revised Statute 432B, Child Protection; and Nevada Revised Statute 159, Guardianship, that at the time of the annual permanency hearing an abused or neglected child may be permanently placed with a guardian pursuant to guardianship requirements established under NRS159. The provisions of the bill include the following:

- Adoption should still be the primary goal for children who cannot be reunified with their parents, limiting the provisions of this bill to children for whom adoption is not a realistic option. Termination of the Division's custody when a guardian is appointed, but does not result in the termination of parental rights of the parent(s) of the child.
- The Court has the jurisdiction to enforce, modify, or terminate the guardianship until the child reaches the age of 18 years.
- Allows any person having a direct interest in a guardianship so established to move to enforce, modify, or terminate the guardianship.
- Allows the Court to order the Division to file a report and make recommendations in response to any motion to enforce, modify, or terminate a guardianship so established.

The number of children exiting care through guardianship is represented as follows:

**CHART 5.  
NUMBER OF CHILDREN EXITING CARE THROUGH GUARDIANSHIP**



## Adoption

State and County agencies serve families involved in all types of adoptions. This includes children placed through private, interstate, or international adoption; relative/step-parent adoption when the court determines State agency involvement is necessary; and children in foster care. Services include pre-placement and post-placement counseling to birth parents; case management; legal services to free children for adoption; recruitment, training, home study preparation for pre-adoptive families; adoption subsidy; limited post legal adoption support; and licensing/administrative oversight of local private child placing agencies. Statistics cited below reflects continued efforts to increase the adoptions of children from foster care.

## **CHART 6. FINALIZED ADOPTIONS BY STATE FISCAL YEAR**

### Areas of Improvement

An ongoing challenge for state and county agencies is the completion of adoptions of children waiting in foster care. To address this concern, efforts have been made to have private licensed child placing agencies assume a greater role in providing non-foster care related adoption services, freeing the public agency staff to focus on the adoptions of children in foster care. State and County agencies have also contracted with private providers to complete home studies and provide post placement services to complete adoptions for children in care. A variety of funding streams, including IV-B and Adoption Incentive have been used to purchase services to recruitment, prepare and study adoptive families; provide pre and post adoptive placement services; and to complete social summaries for waiting children to facilitate placement. Clark County supports recruitment efforts through a grant from the Dave Thomas Foundation for Adoptions.

The ability to provide Medicaid assistance to non IV-E eligible children with adoption assistance agreements from other states is needed. Nevada is one of the few remaining states that does not provide medical assistance to children from other states with state funded adoption subsidy agreements. Reciprocating with other states may encourage other states to continue serving Nevada's non IV-E eligible children. If that support is withdrawn, Nevada families will encounter difficulties obtaining medical and behavioral treatment needs of adopted children when they leave the state. Given the emphasis on inter-jurisdictional recruitment efforts, this issue may be considered a barrier to families who would otherwise consider accepting placement of a child from Nevada with highly specialized treatment needs.

Nevada also continues to have many older and special needs children awaiting adoption. Recruitment efforts to identify permanent adoptive families are ongoing in each Region. To supplement local and interjurisdictional recruitment efforts, Nevada maintains membership with The Adoption Exchange. During the past year the Nevada Exchange office has registered 40 new children. Since July 1, 2006 the office has processed over 300 telephone inquiries on adoption or foster care. Each inquiry receives a letter and packet of information to assist them in the adoption process. Wednesday's Child is featured on KLAS channel 8, each week a child, sibling group or success story is aired. Wednesday's Child generated 460 child specific inquiries for Nevada children leading to successful placements. Two Adoption Parties were held with 39 waiting families, 35 waiting children and more than 157 in total attendance. Since November a monthly information class is conducted to provide basic facts on private, international and special needs adoption, more than 50 people have attended the classes. The Adoption Exchange in coordination with Clark County is planning the first Heart Gallery which opened May 4, 2006.

### Intercountry Adoptions

The Division continues to work with the Statewide Information Management System (IMS) to systematically collect information on the number of children placed or adopted from another country and who entered foster care due to disruption or dissolution of the adoption; information regarding the agency which handled the adoption; the reason for the disruption/dissolution; and the plans for the child.

The UNITY system currently collects information regarding the plans for children in care and the reason the child came into custody. IMS has identified three areas in the UNITY system

when modified will enable Nevada to routinely capture and track youth that enter custody due to disruption and dissolution of an international adoption. Using existing data sources, no children have been identified as being in the custody of the state or county due to a failed intercountry adoption.

State and County child welfare agencies serve families who adopt internationally. Home studies, post placement, information and referral, and other needed support services are provided. Families also have access to services funded by Title IV-B, Title XX, and Adoptive Incentive funds when eligibility requirements are met.

#### Adoption Incentive Payments

Based on the number of adoptions finalized in FFY 2003, Nevada received a \$260,000 Adoptive Incentive Award. The amount of funding earned and distributed to each of the three regions was based on the number of adoptions completed by the region. Regional spending plans focused on activities designed to facilitate and support adoptions. Funding was used to develop purchase of service agreements and contracts to complete adoption home studies and social histories/summaries for waiting children; to provide pre and post adoption services needed to facilitate interjurisdictional placements; targeted recruitment and retention activities; and post adoption support services to prevent disruption or dissolution of adoptive placements.

#### AdoptUSKids

The Adoption Exchange (Nevada office) continues to serve as the Recruitment Response Team for the state of Nevada for AdoptUSKids. Since the project began in 2004, a total of 277 calls have been received. The majority of calls come from Clark County 240, Washoe County received 17 and the Rural Area had 20 calls. More than 75 of these families have at least attended an orientation class and are working with the child welfare agencies. Several of the families are close to completing home studies with placements forth coming.

Nevada features children on the AdoptUSKids web-based photolisting service to supplement local and interjurisdictional recruitment efforts for waiting children.

## **Promising Practice**

### Support for adoptive families by clinical staff

Washoe Department of Social Services Adoption Program and the Clark County Child Advocacy Center continue to utilize trained clinical staff to support families' adoption of children with emotional/behavioral needs. This service combined with the development of a "transition" case plan is a promising practice designed to better support and prepare both foster-adoption and stranger adoptions; and to increase the success of the child's placement.

### Independent Living

For the Description of Nevada's Independent Living Services - Refer to the attached Independent Living Plan (Appendix B)

### Children Transferred Into Custody Of The Juvenile Justice System

The Division is responsible for statewide juvenile justice system. Juvenile Justice Services serves youth ages 12-21 who have been either delinquent behavior or to access services for mental health treatment. There are three youth centers (Summit View Youth Correctional Center in Las Vegas, Caliente Youth Center in Caliente, Nevada Youth Training Center in Elko), the Youth Parole Bureau, and the Juvenile Justice Programs' Office providing juvenile justice services. The Nevada Youth Parole Bureau has five statewide offices.

**CHART 7.**

#### **2005 CHILDREN TRANSFERRED FROM CPS TO THE JUVENILE JUSTICE SYSTEM**

AGE	MALE	FEMALE	TOTAL # COMMITTED
13	1	1	2
14	2	0	2
15	2	0	2
16	2	2	4
17	11	5	16
18	2	2	4
Total	20	10	30

## **Section IV. Existing Service Description**

### **A. Services Promoting Safe and Stable and Families**

The primary goals of Promoting Safe and Stable Families (PSSF) (Title IV-B Subpart 2) are to prevent the unnecessary separation of children from their families, improve the quality of care and services to children and their families, and ensure permanency for children by reuniting them with their parents, by adoption or by another permanent living arrangement. The programs include: family support, family preservation, time-limited family reunification and adoption promotion and support services.

The services are designed to help State child welfare agencies and eligible Indian tribes establish and operate integrated, preventive family preservation services and community-based family support services for families at risk or in crisis. Funds go directly to child welfare agencies and eligible Native American tribes to be used in accordance with their five-year



plans. Other grant funds are set aside for nationally funded evaluation, research, and training and technical assistance projects. In addition, funds are set aside for court improvement programs.

PSSF services are based on several key principles. The welfare and safety of children and of all family members should be maintained while strengthening and preserving the family. It is advantageous for the family as a whole to receive services, which identify and enhance its strengths while meeting individual and family needs. Services should be easily accessible, often delivered in the home or in community-based settings, and they should respect cultural and community differences. In addition, they should be flexible, responsive to real family needs, and linked to other supports and services outside the child welfare system. Services should involve community organizations and residents, including parents, in their design and delivery. They should be intensive enough to keep children safe and meet family needs, varying between preventive and crisis services.

## **Definitions of Title IV-B Subpart 2**

Family Support (Prevention and Support Services) is defined as:

Community-based services which promote the well-being of children and families are designed to increase the strength and stability of families (including adoptive, foster, and extended families), to increase parents' confidence and competence in their parenting abilities, to afford children a stable and supportive family environment, and to enhance child development. These services may include respite care for parents and other caregivers; early developmental screening of children to assess the needs of these children and assistance in obtaining specific services to meet their needs; mentoring, tutoring, and health education for youth; a range of center-based activities (informal interactions in drop-in centers, parent support groups); services designed to increase parenting skills; counseling and home-visiting activities.

Family Preservation is defined as:

**Crisis Intervention:** Services for children and families designed to help families (including adoptive and extended families) at-risk or in crisis;

**Placement Prevention:** Services to prevent family disruption and unnecessary removal of children from their homes (as appropriate). These services may include intensive family preservation, post-adoption support services, case management, counseling, day care, respite services, homemaker services, services designed to increase parenting skills, family budgeting, coping with stress, health, and nutrition;

**Reunification Services:** Services to help children, where appropriate, return to families from which they have been removed or to be placed for adoption or legal guardianship. These services may include day care services, homemaker or caretaker services, family or individual counseling for parent(s) and child, follow-up care to families to whom a child has been returned after placement and other reunification services the State identifies and necessary.

Time-Limited Family Reunification Services are defined as:

Services and activities that are provided to a child that is removed from the child's home and placed in a foster family home or a child care institution and to the parent or primary caregiver of such a child, in order to facilitate the reunification of the child safely and appropriately within a timely fashion, but only during the 15-month period that begins on the date that the child, pursuant to section 475 (5)(F), is considered to have entered foster care. The services and activities are the following:

- Individual, group, and family counseling;
- Inpatient residential, or outpatient substance abuse treatment services;
- Mental health services;
- Assistance to address domestic violence;
- Services designed to provide temporary child care and therapeutic services for families, including crisis nurseries; and
- Transportation to or from any of the services and activities described above.

Adoption Promotion and Support Services are defined as:

Services and activities designed to encourage more adoptions out of the foster care system, when adoptions promote the best interests of children, including such activities as pre- and post-adoptive services and activities designed to expedite the adoption process and support adoptive families.

**Chart 8.**  
**Title IV-B Subpart 2 Grantees by Funding Category and Region**

Grantee Name and Region	Family Support	Family Preservation	Time-Limited Family Reunification	Adoption Promotion/Support
<b>Clark</b>				
Bridge Counseling		X	X	
Diligent Search Center, Las Vegas				X
Nevada Children's Center, Adoption, Las Vegas				X
Virgin Valley FRC, Mesquite	X	X		
Women's Development Center, LV	X			
<b>Adoption Exchange</b>				X
<b>Washoe</b>				
Children's Cabinet, Incline Village	X			
Children's Cabinet of Reno	X	X		
Family Counseling Services, Reno			X	
Sierra Association of Foster Families, Advocacy, Reno	X	X	X	X
STEP 2, Reno		X		
Washoe Co. FRC Coalition, Reno	X	X		
<b>Rural</b>				
FRC of Northeastern Nevada, Elko	X	X	X	
FRIENDS FRC, Fallon	X	X		
Hawthorne FRC, Hawthorne	X	X	X	X
Little People's Headstart Ely	X			
Pahrump FRC, Pahrump	X	X	X	
Ron Wood FRC, Carson City	X	X		
Wells FRC, Wells	X	X		

### Summary of services provided in the Northern Region (Washoe County)

The following information addresses new individuals serviced and their service categories during the past year.

New Individuals Served	7910
New Families Served	2267
New Children Served	4593
New Individuals with disabilities	602
New Single Heads of Households	1069

These services were provided in the following service areas.

Children/Youth Development Services: Child Care, Teen/Youth Support Group, Tutoring.

Health Services: CPR Training, Nutrition Classes, Health Education and Health Screening.

Information and Referral Services: Referrals to Outside Agencies

Life Skills/Development Training: Budget/Financial Counseling, GED Classes, Life Skills Group and Employment Training.

Support Services: Assessment Services, Crisis Intervention, Home Visits, Case Management, Domestic Violence Services, Individual Counseling, Support Groups, Client Advocacy, and Family Counseling and Therapy.

Basic Needs Services: Child Safety Seats, Transportation Assistance, Clothing, Housing, Utility Assistance, Food, Rental Assistance, Other Basic Needs that include the following:

- Home-based crisis intervention and counseling services for families with children who have been removed from their homes or who are at imminent risk of removal due to family issues including domestic violence, poverty, substance abuse;
- Home-based homemaker services to prevent removal of children;
- Services to Spanish-speaking families;
- Respite care for families (including foster families);
- Washoe County's Child Protective Services (CPS) Family Assessment;
- Services, including assessments, case management and supportive services;
- Rental assistance;
- Family counseling/therapy (bilingual, home- or center-based);
- Parenting skills training;
- Support groups ;
- Prevention/ education services ; and
- Advocacy and assistance for families with children with disabilities
  1. families with children having special health care needs;
  2. Transient/homeless services to families;
  3. Family visitations;
  4. Medical and dental care; and substance abuse outpatient and residential treatment for women with one child, including, transitional housing, life skills training, and parenting.

## 5. Statewide Sexual Abuse Summer Camp for children.

During the last RFP process, the state was successful in obtaining proposals from additional applicants. This has resulted in growth in the number of sub grantee recipients who have been able to expand and enhance their programs through the provision of additional services in this service area.

### Summary of services provided in the Rural Region (all counties except Washoe and Clark)

The following information addresses new individuals serviced and their service categories during the past year.

New Individuals Served	7910
New Families Served	2267
New Children Served	4593
New Individuals with disabilities	602
New Single Heads of Households	1069

These services were provided in the following service areas:

Children/Youth Development Services: Child Development Classes/Activities, Mentor Program, Teen/Youth Support Group, Playgroup and Tutoring.

Health Services: Nutrition Classes.

Information and Referral Services: Referrals to Outside Agencies and Resource Library.

Life Skills/Development Training: Budget/Financial Counseling, Life Skills Group, Homemaker Services/Training, Job Search/Placement Assistance and Parenting Classes/Training.

Support Services: Assessment Services, Crisis Intervention, Home Visits, Case Management, Domestic Violence Services, Individual Counseling, Support Groups and Client Advocacy.

Basic Needs Services: Child Safety Seats, Transportation Assistance, Clothing, Housing, Utility Assistance, Food, Rental Assistance and Other Basic Needs that include the following:

- Family Assessment Services (formerly CPS Differential Response Services) to families referred to Title IV-B Funded community-based programs by Division;
- Child Protective Services (CPS). FASS services include family preservation services, including family assessment and case management;
- Housing and services for homeless families;
- Parenting skills training;
- Marriage and family therapy;
- Basic education;
- Job skill training;
- Budget counseling;
- Basic needs of children including food, clothing and personal items;
- Dental and medical care;
- Family activity evenings;

- Support groups;
- Family visitation; and
- Rural Homemaker Services.

Rural Region responded to the RFP to expand existing services in three programs, and add one new program in a rural community where these services were previously lacking.

Summary of services provided in the Southern Region (Clark County):

The following information addresses new individuals serviced and their service categories during the past year.

New Individuals Served	7910
New Families Served	2267
New Children Served	4593
New Individuals with disabilities	602
New Single Heads of Households	1069

These services were provided in the following service areas.

Health Services: Nutrition Classes and Health Education.

Life Skills/Development Training: Budget/Financial Counseling, Life Skills Group, Employment Training, Literacy Training, Job Search/Placement Assistance and Parenting Classes/Training.

Support Services: Assessment Services, Crisis Intervention, Home Visits, Case Management, Individual Counseling, Support Groups, Family Counseling and Therapy.

Basic Needs Services: Child Safety Seats, Holiday, Transportation Assistance, Clothing, Housing, Food and other Basic Needs that include the following:

- Services to minority families such as ESL classes and translation services;
- Home- and center-based assessment, counseling/treatment services for families with children at risk of removal due to family issues including domestic violence, poverty, substance abuse, etc.;
- Case management services for families with children having behavioral and emotional problems;
- Home-based homemaker services (such as life-skills, financial skills, nutrition, hygiene) for families at-risk;
- Respite care including recruitment and training of respite care providers and respite reimbursement for low to moderate-income families having one or more children with a disability;
- Family self-sufficiency mentoring programs (for both youth and their families);
- Leadership skills development; after-school and parenting programs (bi-lingual and teen parenting);
- Domestic violence counseling;
- Transitional housing services including case management services, supportive services, and education for women with children;

- Intensive services to families referred by Division/CPS with first contact at the courthouse immediately after the court hearing; and
- Services to locate relatives of children for placement as an alternative to placing the child(ren) in foster care.

As a result of the last RFP process, the Southern Region has increased services for adoption resources in Clark County, which will also provide statewide training services. The training will address issues specific to the Program Improvement Plan to help improve practice and build State capacity to provide adoption related services. Training will address needs of potential adoptive parents through attendance and completion of the PRIDE (Parent Resources for Information, Development and Education) curriculum. This is designed as a pre service training of foster and adoptive parents. Training for DCFS staff members and mental health care providers will address issues relative to teen adoption. The new service provider will function as an adoption resource and provide support and advocacy services for state and county CPS workers and potential adoptive parents. The Southern Region has also seen an expansion of available Title 4b Subpart 2 services through increased Adoption Promotion and Adoption Support.

Statewide, Nevada has experienced expansion of Title 4B/2 services in seven sub grantee programs and the addition of one new program providing Title 4B/2 services to a rural geographical portion of the State. These expansion activities enhance community based service provision being available to Nevada's families and children.

During the past year the sub grantees statewide have provided the above services to 12,656 new individuals, 4,095 new families, 6,996 new children, 1,093 new individuals with disabilities and 2,204 new single heads of household.

#### Gaps in Services

The most notable gaps in services are in the area of Adoption Promotion and Support. The State is challenged with a lack of qualified individuals providing needed adoption support services. The State was successful in sub granting funds to the Adoption Exchange, located in Colorado, who provides training to potential adoptive parents, and social services staff members. Adoption Exchange addresses PIP (Program Improvement Plan) items relating to Permanency Through Adoption, Permanent Family Connections for Teens and AdoptCare Network for Mental Health Professionals. They function as an Adoption Resource Support Services provider for Clark County and Northern Nevada.

The Adoption Exchange has experienced delays in the provision of the specified year one training, due to extensive Program Improvement Plan (PIP) training requirements for caseworkers in the Division of Child and Family Services (DCFS). The Adoption Exchange has been involved with DCFS staff to complete curriculum revisions and establish a schedule for training. They have proceeded with hiring of an adoption resource coordinator, update and maintaining a lending library, publishing a semiannual newsletter, provision of ongoing support services, marketing/outreach of services available and onsite consultation in Clark County and northern Nevada.

As a result of the CFSR, the State has implemented a Program Improvement Plan (PIP), which addresses several areas of need and identifies specific action steps to address these gaps.

Adoption issues in the State include:

- Early identification
- Diligent search
- Assessment of parents and non-custodial parents
- Collaboration with other involved agencies and programs

Addressing these issues will be accomplished in a variety of ways, including utilization of the Adoption Exchange to complete the following activities:

- Training Services i.e. adoption curriculum, Family Connections for Teens Curriculum and Network Training.
- Adoption Resource and Support Services including: resource coordinator, steering committees, lending library, web page development, newsletter, onsite consultations, marketing/outreach services and ongoing support services.

Planning will continue to address the need for placement, adoption or other planned permanent arrangements. The Administrative Office of the Courts and the Court Improvement Project (CIP) continue to collaborate to identify barriers to permanency and develop strategies to address and improve permanency issues statewide. State and County child welfare agencies continue to establish planning strategies to reduce child welfare caseloads. Standardized policies and practices have been implemented with regards to adoption of older children. Regional recruitment and training efforts will be improved to enhance identification and retention of potential adoptive parents. The State will continue to address adoptive subsidies, standardized social summaries, foster and adoptive home studies, statewide case planning, and standardized practices for Termination of Parental Rights (TRP) and relinquishments.

Educational Needs of the Child:

Reviewers determined that the State had not made diligent efforts to meet the children's educational needs. Efforts to address child educational needs is noted in (Item #21, action steps: 21.1, 21.2, 21.3, 21.4, 21.5 and 21.6) of the PIP.

Specific action steps address the following areas:

- Standardized documentation of educational and medical services received by children
- Standardized policy to address caseworker visits with the child and frequency of visits.
- Standardized practice guidelines to assure home visits are quality visits.

The PIP addresses development and a Case Management Model of best practices for:

- Assessment
- Family engagement and collaborative planning
- Establishment of a statewide case planning process
- Review of statutory requirements to inform foster parents about foster children's needs.



#### Physical Health of the Child:

- Reviewers determined that there was clear evidence of health-related needs that were not being addressed by the State.

#### Identified areas of concern are as follows:

- Insufficient dentists who will agree to take new patients
- Dental health crisis in some areas
- Doctors refusing Medicaid children due to lack of reimbursement

The PIP has identified the following action steps (Item # 22, action steps: 22.1, 22.2, 22.3, 22.4, and 22.5) to ensure physical health is assessed for children placed in foster care:

- Develop standardized policies for caseworker visits and frequency to ensure child's safety
- Develop strategies to ensure foster parent retention through the usage of foster parent surveys
- Review statutory requirements to inform foster parents about foster children's needs
- Standardized policies and protocol for documentation of educational and medical services received by foster children.

#### Mental Health of the Child:

- Reviewers determined that geography and availability of services were two of the most commonly cited barriers.

The PIP has identified the following action steps (Item #23, action steps: 23.1 and 23.2) to address those instances where the mental health of the child were partially or not at all met:

- The State will continue working with Medicaid to redesign children's behavioral health services and increase accessibility and availability
- The State will request additional medical professionals for the review process to ensure Nevada meets federal Medicaid standards for medically necessary treatment.

The following action steps (Item #23, action steps: 23.3, 23.4, 23.5, 23.6, 23.7, 23.8, 23.9, 23.10, 23.11 and 23.12) have been identified to address this specific area or are reflected in the combined PIP and plan goals and objectives attached to this report:

1. collaboration with the university to establish a child psychiatry internship program,
2. utilization of psychiatric interns from the university,
3. expand recruitment of mental health professionals,
4. promote access to appropriate services for children and families to meet mental health needs, standardize policy for caseworker visits and frequencies to ensure the child's safety,
5. assure well being and educational needs are being met,
6. revise agreement with Division of Mental Health and Developmental Services to support youth with mental health and developmental disabilities,
7. convert temporary contracts for Wrap Around in Nevada (WIN) to permanent state positions,
8. additional clinical staff to reduce wait lists for outpatient and early childhood mental health services,

9. expand the Division's Higher Level of Care Contract Management Unit to move toward performance based contracts and
10. improve service array through strategic planning to maximize funding and development of a competent workforce trained in evidence based practice.

#### Evaluation of Sub-grantees

The Human Development and Family Studies Department of the University of Nevada, Reno has worked with sub grantees to develop and report on measurable outcome goals. (Appendix E) Each sub grantee has developed two specific outcome measures with technical support from Division that relate directly to the PIP and their individual programs and goals. The sub grantees submit monthly reports on the secure web system that has been developed for entering monthly statistical information and making their monthly requests for reimbursements. The University has developed the Child and Family Services Analysis System (CFSAS) to provide statistical evaluation and analysis to Division through a web based system that is available 24 hours a day, seven days a week, making Department, Division, State and Federal reporting available on a real time basis. On line reporting continues for fiscal and programmatic statistics and provides the Division with monthly opportunities to review each program individually and follow up with sub grantee staff when appropriate.

During the past year the Division has successfully implemented annual programmatic and fiscal reviews of all Title IVB/2 sub grantees. This has provided a means of evaluating programs at the community level and dealing with specific sub grantee issues. With the review system in place, it has allowed for the Division to provide technical assistance to sub grantees and based upon review results, provide follow up assistance to assure that community level programs are provided with an environment where they can expand and enhance their services through interaction with Division staff.

#### Estimated Expenditures for Services

Based upon previous annual expenditures it is anticipated that approximately \$321,000 will be available for each of the service areas. Services will be provided in the four areas under the Promoting Safe and Stable Families Program: Family Preservation; Family Support; Time-Limited Family Reunification; and Adoption Promotion and Support Services in accordance with federal expenditure guidelines

#### Decision Making Process

Nineteen (19) community-based providers are funded on a statewide basis. The Division also funds two additional providers, Ciber and UNR Program Evaluation. The UNR program provides Program Evaluation and maintains the on-line reporting system along with provision of technical assistance to community programs. Ciber is a provider of technical assistance relative to Rural District needs. Statewide, there are 21 providers of Title IVB/2 services and support. The Division continues to explore the development of a Statewide Advisory Board that will report directly to the Administrator. The Advisory Board will provide input to the Nevada Promoting Safe and Stable Families Program. Members of the committee represent state and county agencies, and community organizations serving children and families. Currently, several committee and advisory boards provide advice and make recommendations to the Division regarding child welfare programs and services. During the last RFP review, a Title IVB Steering Committee member assisted with the proposal reviews and the grant award process in addition to state and county representatives. The Division's plan is to incorporate members of the IV-B Steering Committee, Mental Health Consortium and Diversity Committee

and representatives from other boards and task forces, as identified, into the Statewide Advisory Board, allowing broader representation. In addition to providing input into the CFSP, board members will have the opportunity to participate in other Division initiatives.

## **Section V. Evaluation and Technical Assistance**

### **National Resource Centers for Child Welfare**

Nevada will continue to utilize technical assistance from the various NRCCW in order to support the 5-year state plan and PIP implementation. (PIP 2.4, 7.1, 10.1, 19.1, 19.2, 20.1, 31.1)

The National Child Welfare Resource Center for Organizational Improvement continued to provide technical assistance in the implementation of the Nevada Quality Improvement Framework related to the entire Quality Improvement process, including revisions to the Case Review Instrument, restructuring of the Supervisory Review process, and the development of a report of findings from the QI Team.

The National Resource Center for Family-Centered Practice and Permanency Planning provided technical assistance towards the development of the case management policy and assessment policy. Child welfare caseworkers statewide were trained in the policies and assessment tools. Remedial training sessions are available and the training has been incorporated into a standardized training for all new caseworkers. The Quality Improvement Process continually measures the application of these policies and the utilization of the assessment tools. The QI findings are submitted to ACF through quarterly PIP Reports.

The National Resource Center for Youth Development provided technical assistance during a statewide Youth Development Conference in order to facilitate a strategic plan, which will include Youth Advisory Boards, and Chafee state spending.

The National Resource Center Resource Center on Legal and Judicial Issues provided assistance to Nevada related to CAPTA compliance and preventing child fatalities. The technical assistance received from the NRC is currently being used to develop statewide standardized policy and training.

Nevada will utilize technical assistance from the National Resource Center for Child Welfare Data and Technology and the National Resource Center for Special Needs Adoption to support the Program Improvement Plan and State Master Plan.

With the collaboration of the County Child Welfare Directors, the Division Administrator will oversee the plans and develop strategies for compliance and program improvement based on quantifiable and qualitative data.

## Section VI. LEGISLATIVE BILLS ENACTED IN 2005

Bill	Key Words	Abstract	Impact
AB42	Social Worker Training and Siblings placement	Makes changes concerning Social Worker Training.	Changes made to statute requiring DCFS to provide training to caseworkers on informing a party who is the subject of a child protective services investigation of rights and allegations.
		Makes changes concerning Siblings Placement.	Changes to statute determining sibling placement together is presumed to be in the best interest of the child. If for any reason this is not feasible, a visitation plan must be developed and followed. If placement or the visitation is not complied with, the person responsible for the failure to comply may be held in contempt of court.
AB51	Post-adoption contact.	Makes changes concerning contracts for post-adoption contact.	This bill provides a procedure for birth and adoptive parents to enter into an enforceable agreement that provides post adoptive contact; it requires certain persons (including DCFS staff) to notify the court of the existence of an agreement and it authorizes the birth parent to bring civil action against persons who provide false information to the court regarding the existence of the agreement.
AB369	Children's Mental Health/Provisions, Policies and Hearing Requirements	Revises provisions governing the procedures, policies and hearing requirements of the commitment of certain children for mental health treatment.	Child Welfare Agency cannot place any child in their custody in a secure psychiatric facility or a secure residential treatment center without a court order, unless under an emergency admission.
SB296	CAPTA	Revises provisions to ensure compliance with the Federal Child Abuse Prevention and Treatment Act (CAPTA) and NRS 432 and 432B.	Changes made to statute requiring statewide procedural changes, policy analysis and modification as needed, and registry modifications.

## Section VII. ICWA

ICWA activities are summarized in Appendix E.

## Section VIII. CERTIFICATIONS AND ASSURANCES

There have been no state governmental changes resulting in the need for new signatures on the existing certifications. Copies of the original certifications are included.

CFS-101, Part II Annual Summary of Child and Family Services

# APPENDICES

## **APPENDIX A**

### **CHILD ABUSE PREVENTION AND TREATMENT ACT CHILD PROTECTIVE SERVICES STATE PLAN FFY 2004-2009**

Desired Outcome: The incidence of child abuse and neglect will be reduced and the outcomes for safety, permanency and well-being of children in Nevada will be improved.

The State of Nevada Division of Child and Family Services actively supports the United States Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, and Children's Bureau, child welfare outcomes. The national goals of safety, permanency, and child well being are the foundation for the development of systemic and outcome measures aimed at improving the lives of children who are exposed to child abuse and neglect. The child welfare outcomes required from states pursuant to section 479(a) of the Social Security Act as amended by section 203(a) of the Adoption and Safe Families Act of 1997, include the quantitative data provided by the National Child Abuse and Neglect Data System (NCANDS), Adoption and Foster Care Analysis and Reporting System (AFCARS), and the qualitative information from the Child and Family Service Review (CSFR).

The purposes of safety outcome measures are to assess the effectiveness of an agency's child welfare system in protecting children from abuse or neglect in their own homes and in foster care. This reflects those actions taken by public agencies and their partners to create safety for children who have experienced or are "at-risk" of experiencing abuse, neglect or emotional maltreatment from the action or inaction of their parents or caretakers. An indication that the child protection system may be achieving the objective of child safety is through the quantitative measure of the reduction of the rate or incidence of recurrence of maltreatment. How the incidence rate is reduced is indicative of the qualitative performance measures that are the mechanisms an agency employs to respond to child abuse and neglect.

The State of Nevada supports the child welfare outcome goals through NCANDS and AFCARS data collection by the Unified Nevada Information Technology for Youth (UNITY), a State Automated Child Welfare Information System (SACWIS), and through program performance measures outlined by the CSFR. The following includes the background of the child protection system and organization in Nevada, safety outcomes and indicators, the child protection goals and objectives, and related program activities that form the basis for the Child Abuse Prevention and Treatment Act (CAPTA) State Plan for FFY 2004 – 2009.

#### **BACKGROUND AND ORGANIZATION**

The Nevada Division of Child and Family Services is the agency responsible for planning, coordinating and monitoring child protective services provided throughout the state; coordinating its activities with and assisting the efforts of law enforcement agencies, the courts, and public and private organizations which provide social services for the prevention, identification and treatment of abuse or neglect of children; and involving communities in the improvement of protective services. The Nevada Division of Child and Family Services is responsible for adopting regulations that establish reasonable and uniform standards for protective services provided in the state.

Provision of child protective services in Nevada is a combination of State and County administered agencies. Child Protective Services is part of the child welfare service system (Nevada Revised Statutes (NRS) 432B.044). Counties in which the “population is 100,000 or more shall provide child welfare services for the children in that county and pay the cost of all those services (NRS 432B.325).” Clark County in Southern Nevada and Washoe County in Northern Nevada are the two counties that meet this standard. The Division administers the child welfare program for the remaining fifteen (15) rural counties. The agencies that provide protective services are: State of Nevada Division of Child and Family Services (DCFS), Clark County Department of Family Services (CCDFS), and Washoe County Department of Social Services (WCDSS).

#### Nevada Citizen Review Panel

The Nevada Citizen Review Panel was established in 1999 and is maintained by the CAPTA grant. The Panel membership will be increasing from one panel to three panels during 2006 to encourage more participation by Nevada citizenry. The panel submits an annual report on the progress that the Child Protective Services agencies are making with respect to protecting children. The panel participates in quality improvement case reviews, review of policy and practice, and makes recommendations for improving the child protection system.

The panel produces an annual report that is submitted with the Child and Family Services Annual Progress Report.

#### **Coordination of Child Protection Statewide**

The Division of Child and Family Services, Clark County Department of Family Services and Washoe County Department of Social Services work together in developing and evaluating standardized policies and procedures, investigative practice, including safety and risk assessment, intake, case management and service delivery in child protection that will improve the system. They also work with the Nevada Citizen Review Panel and the Nevada Children’s Justice Task Force to improve child protection efforts.

#### **CAPTA State Plan Goals**

The goals and objectives of CAPTA are found in Section V of the State Plan. These goals are directed at improving the safety, permanency and well-being of children.

#### **CAPTA: SAFETY OUTCOME - DATA**

Description: The safety outcome measures are directed at the reduction of recurrence of child abuse and neglect for those reports of children that have been substantiated including children in foster care. The reduction of the rate of recurrence of maltreatment is an indication that the child protection system may be achieving the objective of child safety. This information is provided by the UNITY-SACWIS computer system.

The goal is to provide a baseline for future data comparison that will reflect the recurrence and incidence of child abuse. Refer to Section I, Outcome I.

The data for federal Safety Outcome measures for abuse and recurrence have been set up in the Solutions for Online Activity Reporting (SOARS) system. The SOAR system became operational in the spring of 2005 and the database will be developed over the next two years.

## **CAPTA SAFETY OUTCOME – PROGRAM PERFORMANCE**

Description: The CAPTA State Plan adopts the safety outcome measures that are linked to program performance. These measures tell about how well the program is meeting its requirements to provide safety to children. Each measure is taken from the Federal Child Welfare Outcomes standard and is found in Section V. Vision, Principles, Goals and Objectives, safety outcomes 1 and 2, objectives and action steps of the comprehensive State Plan.

The CAPTA areas selected for improvement are:

Sec. 106(a)(1) Improving the intake, assessment, screening and investigation;

Sec. 106 (a)(3) Improving the case management, including ongoing case monitoring and delivery of services and treatment provided to children and their families;

Sec. 106 (a)(4) Enhancing the general child protection system by developing, improving, and implementing risk and safety assessment tools and protocols.

Sec. 106 (a)(7) Improving the skills, qualifications, and availability of individuals providing services to children and families, and the supervisors of such individuals, through the child protection system, including improvements in the recruitment and retention of caseworkers;

CAPTA funds will be used to improve outcomes for the safety and permanency outcomes through the review, evaluation and development of consistent statewide statute/regulation, policy, protocols, and practice for the intake, risk, safety assessment, screening, decision-making, investigation of reports and referral processes for child abuse and neglect. Funds will also be directed towards recruitment and retention of workers and training of supervisors. These safety outcomes, objectives and action steps are found in Section V of the Comprehensive Five-Year Child and Family Services State Plan.

The areas selected for improvement are found in Section V of the Comprehensive Five-Year Child and Family Services State Plan.

## **CAPTA TRAINING**

Training information for 2005 is contained in the Training Updates Section of the State Five-Year Plan.

Description of services and training to be provided under the CAPTA State Grant as per section 106(b)(2)(C) CAPTA

(i) Services:

The CAPTA Basic State Grant provides indirect services to individuals and families through provision of referrals from child abuse and neglect reports received by child protection agencies to contracted Title IV-B community-based service providers. These referrals are aimed at intervening and preventing the re-occurrence of child abuse and neglect by referring families to a family assessment and services system process. The family assessment and services system provides an opportunity for families to receive services, or other appropriate referrals to local community based service providers.



(ii) Training:

Training will be provided to support direct line and supervisory personnel on child abuse and neglect in the areas of: intake and investigation, screening, safety and risk assessment, use of instruments, decision making, court processes, concurrent case planning, case management, and other areas as indicated. Training is provided free to child welfare and other participants through collaboration with the Nevada Training Partnership. (PIP 33.3) Training will direct efforts toward the retention and recruitment of workers, including provision of limited stipends.

The CAPTA State Grant will provide support for presenters, travel and per diem and materials expense and will provide support for staff travel and per diem to attend the training. Funds will be used to provide training materials and equipment, such as videos, books, and other materials to assist with training.

(iii) Training for Individuals Required to Report Suspected Cases of Child Abuse and Neglect: Mandated reporter training is available upon request. Training is provided free to child welfare and other participants through collaboration with the Nevada Training Partnership. The CAPTA Basic State Grant will provide support for presenters, travel and per diem and appropriate training materials, such as videos, and will provide support for staff travel and per diem to attend the training.

During the 2005 Legislative Session, State Senate Bill 296 was passed to update and add the Federal CAPTA language regarding “the needs of infants born and identified as being affected by illegal substances or withdrawal symptoms resulting from prenatal drug exposure, including a requirement that health care providers involved in the delivery of such infants notify the child protective services system of the occurrence of such condition of such infants.” The passage of this bill would not appear to affect eligibility for CAPTA because there were no substantive changes to the law. The Nevada Revised Statutes 432B.330(1)(b) already contained provisions addressing an infant who “is suffering from congenital drug addition or fetal alcohol syndrome because of the faults or habits of a person responsible for his welfare,” a provision for medical neglect, and also contained provisions in NRS 432B.220 for medical personnel to “report abuse or neglect not later than 24 hours after the person knows or has reasonable cause to believe that the child has been abused or neglected.”

A description of the requirement for a criminal background check for prospective foster and adoptive parents and other adult relatives and non-relatives residing in the household (section 106(b)(2)(A)(xxii).

This requirement was addressed during the 2003 legislative session and Nevada Revised Statutes 432B.391 was added to the law authorizing child welfare services or their designee to conduct preliminary Federal Bureau of Investigation name-based checks of background of adult residents of homes where children are placed.

Activities to be assisted with CAPTA Basic State Grant Funds FFY 06

The following are necessary to carry out the objectives of the grant:

## Personnel, Operations, and Maintenance

**Personnel:** Through the use of CAPTA State Grant funds, the Division will employ a full-time Child Protective Services - Social Welfare Programs Specialist. The funds requested include salary, fringe benefits and travel.

Under the direction of the Division's designated Deputy Administrator, the Child Protective Services Specialist will coordinate with the Division's rural district offices, Washoe and Clark Counties to help insure that policy and practice in child protection are consistent throughout Nevada. The Specialist will participate in planning, coordinating and evaluating child protective services provided throughout the state.

The Specialist will also participate in the following activities: 1) review of federal/state legislation, development of federal/state regulations, and agency policies; 2) provision of statewide technical assistance and/or consultation through contract or sub-grant; 3) coordination of training pursuant to CAPTA requirements; 4) serve as the State Liaison Officer with the Office on Child Abuse and Neglect; 5) prepare grant applications and progress reports for the CAPTA Basic State Grant program and other related CAPTA funding; 6) develop, coordinate and monitor CAPTA Projects; 7) serve on agency or other committees that promote the goals of child protective services; and 8) monitor the collection of child abuse data for the National Child Abuse and Neglect Data System (NCANDS) and prepare the annual State Statistical Report on Child Abuse and Neglect.

### Operating Expenses

Communications equipment purchased for the purposes of promoting staff and child safety will be periodically reviewed for continued maintenance and possible upgrade through the use of grant funds. Grant funds will support staff telecommunications related to child protection activities including teleconferencing, video-conferencing, cell phones, and land lines.

Grant funds will be used to purchase equipment, such as digital recorder, printers, computers, laptop computer, and necessary hardware, software upgrades, file cabinets and other office equipment and work materials such as journals, subscriptions, books and videos.

### **Maintenance of Citizen Review Panel and Statewide Child Protective Services Work Groups**

**Child Protective Services Citizen Review Panel:** Grant funds will be used to support travel and per diem for panel representatives. Funds may also be used for a consultant/facilitator, including travel and per diem and materials, provision of technical assistance and coordination for the panel.

**Statewide Child Protective Services work groups:** Grant funds will be used to support travel and per diem for a representative from Clark and Washoe Counties and the Division of Child and Family Services to participate in child protective services work groups.

### Child Welfare Training

CANS and/or CJA grant funds will be used to support mandatory Statewide Training for child welfare staff through reimbursement of per diem and travel costs for trainers and child welfare staff, as needed. Funds will also be used to improve the child welfare curriculum and to provide

educators and trainers to develop and/or present training throughout the state of Nevada through contract and/or sub-grant.

Training for child welfare staff and related disciplines in the use of comprehensive safety assessment instruments and practice, risk assessment, case planning, the handling of child abuse and neglect cases involving domestic violence and substance abuse, case management, investigating children with disabilities and other relevant identified training, will be supported by appropriate grant funds. Grant funds will also support the development of on-going training curriculum for child abuse investigations, materials for mandated reporters, as well as equipment and materials, such as television/VCR, videos, books and other resource materials.

Citizen Review Panel Report and State Response:

These documents are attached to this report and labeled as Attachments 1 and 2 to Appendix A.

## **Attachment 1**

### **Overview of the Nevada Citizen Review Panel**

#### **Federal Requirements**

As outlined in Public Law 104-235, Title I, Section 106, the Child Abuse Prevention and Treatment Act (CAPTA) provides for a state grant program for the support and improvement of state child protective services (CPS) systems. This law sets forth a variety of eligibility requirements, including the establishment of citizen review panels. The purpose of the panels is “to provide new opportunities for citizens to play an integral role in ensuring that states are meeting their goals of protecting children from abuse and neglect.”

The citizen review panel system within a given state must meet certain operational requirements and meet a scope of responsibilities within the function of the panel. These are outlined as follows:

#### **Scope of Responsibilities**

Each citizen review panel is required to review the compliance of State and local CPS agencies in the fulfillment of their responsibilities with respect to the following:

Work in accordance with the CAPTA State Plan.

Examine State and local policies and procedures.

Review specific cases, when appropriate.

Review other criteria the panel determines important to the protection of children, including the following:

Review of the extent to which the State CPS system is coordinated with the Title IV-E foster care and adoption assistance programs.

Review of child fatalities and near fatalities.

#### **State Requirements**

As part of the CAPTA requirements, states are required to codify citizen review panels through state law. In Nevada, this was completed with the passage of Assembly Bill (AB) 158 during the 1999 legislative session. The relevant text of AB 158 was incorporated into Nevada Revised Statutes (NRS) under Chapter 432B.396. This law reads as follows:

The Division of Child and Family Services shall:

1. Establish a panel comprised of volunteer members to evaluate the extent to which agencies which provide protective services are effectively discharging their responsibilities for the protection of children.
2. Adopt regulations to carry out the provisions of subsection 1 which must include, without limitation, the imposition of appropriate restrictions on the disclosure of information obtained by the panel and civil sanctions for the violation of those restrictions.

During 2001, NRS 432B.396 was amended as a result of AB 248 to establish civil sanctions for violations of confidentiality on the part of citizen review panel members. This amendment includes additional language highlighted in subsection two as follows:

1. Establish a panel comprised of volunteer members to evaluate the extent to which agencies which provide protective services are effectively discharging their responsibilities for the protection of children.
2. Adopt regulations to carry out the provisions of subsection 1 which must include, without limitation, the imposition of appropriate restrictions on the disclosure of information obtained by the panel and civil sanctions for the violation of those restrictions. The civil sanctions may provide for the imposition in appropriate cases of a civil penalty of not more than \$500. The Division may bring an action to recover any civil penalty imposed and shall deposit any money recovered with the State Treasurer for credit to the State General Fund.

### **Nevada Citizen Review Panel**

The State of Nevada Citizen Review Panel (CRP) operates with the following mission:

To ensure the protection and safety of children through an evaluation of the Child Abuse Prevention and Treatment Act State Plan by examining State and local agencies' policies and procedures and specific cases where appropriate.

Prior to 2004, the Panel consisted of a maximum of 12 members appointed by the Administrator of the Division of Child and Family Services (DCFS), who also serves on the Panel. The group included representation from a variety of State and County agencies, community organizations, and professional backgrounds. Membership categories for the Panel are not federally mandated. However, they were originally based on the membership categories mandated under CAPTA for the Children's Justice Act (CJA) Task Force. The CJA Task Force functions in a complementary manner with the CRP, and therefore the membership was mirrored accordingly.

Recently, both the Panel and DCFS Administration have placed more emphasis on recruiting community members who are not directly affiliated with the child welfare service system, but still have a professional interest in the wellbeing of children. This includes recruitment from sectors including school districts, child care providers, nonprofit advocacy and service organizations, and professional medicine. As a result, Panel members from State and County agencies were asked to begin serving in an advisory capacity to the group. This change was made just prior to the beginning of the case record review process initiated by the Panel, so that members representing other disciplines would be able to provide more objective feedback on cases reviewed at that State and County level.

During 2004, the Panel underwent a major structural change and was reorganized as a subcommittee of the Children's Justice Act (CJA) Task Force. This was done for two primary reasons: 1) To increase the effectiveness of the Panel's work by joining with a larger advisory group whose work is most directly related to that of the Panel; and 2) to meet the requirements of new statewide advisory board restructuring being done by the Division of Child and Family

Services (DCFS) in order to reduce the amount of staff time and resources expended on the business completed by such groups. Prior to this restructuring, DCFS had a considerable number of advisory groups and other statewide committees, and it has become necessary to increase efficiency in the area of stakeholder contribution to the work of the Division.

Concurrent with this change, membership on the Panel has decreased as a result of member turnover. Some new members will be recruited to offset this turnover, and the participation of existing CJA Task Force members in the work of the Panel subcommittee will be encouraged in order to draw on the expertise of current members of the Task Force.

The Panel works toward fulfilling the following three primary goals:

1. Review the CAPTA State Plan and updates on an annual basis.
2. Review at least one policy area from the Governor's assurances.
3. Follow up on previous recommendations.

In essence, the Panel's work consists of the review of internal policies and procedures within the CPS system. Each year, the Panel's findings are summarized in an Annual Report submitted to the federal government as part of the CAPTA requirements.

Appendix B of this report includes a detailed overview of the State child welfare system, which describes the key components of the system of care reviewed by the Panel. Appendix C of this report includes a list of the current CRP members, along with their respective affiliations and areas of representation.

## **Attachment 2**

### **Citizen Review Panel Response**

June 5, 2006

Mr. Larry Morehead, Chair  
Nevada Citizen Review Panel  
14245 Chamy Drive  
Reno, Nevada 89511

Re: Report Back to the Nevada Citizen Review Panel on 2005 Recommendations

Dear Mr. Morehead:

Since its inception in 1999, the Nevada Citizen Review Panel has been a great asset to the State of Nevada and the field of child protection and child welfare. The Panel was established in accordance with the Child Abuse Prevention and Treatment Act (CAPTA), as Reauthorized June 25, 2003, and was charged with the functions listed in CAPTA 106(c)(4)(A)(i)-(iii), "to examine the policies, procedures, and practices of State and local agencies and where appropriate, specific cases, evaluate the extent to which State and local child protection system agencies are effectively discharging their child protection responsibilities" in accordance with the [CAPTA] State Plan, child protection standards, and any other criteria that the panel considers important to ensure the protection of children, including "a review of the extent to which the State and local child protective services is coordinated with the foster care and adoption programs established under part E of title IV of the Social Security Act (42 U.S.C. 670 et. Seq.)," and including a review of child fatalities and near fatalities.

The 2005 findings of the Citizen Review Panel's evaluation and recommendations for improving the child protection system include the following:

Recommendation 1: CPS caseworker training needs to include and/or reinforce consistent definitions of the standard elements of child welfare practice.

Recommendation 2: CPS caseworker training needs to include and/or reinforce appropriate actions to promote safety, permanency, and wellbeing through child welfare practice.

Recommendation 3: CPS caseworker training needs to reinforce the importance of data entry so that the contents of case files are consistent and complete.

Recommendation 4: DCFS Administration should invite the existing Child Welfare Citizen Advisory Committees to participate as Citizen Review Panels (CRP) as part of the proposed CRP expansion for 2006.

The following are responses to these statewide recommendations and include a description of how and whether the State will incorporate them to make measurable progress in improving the State and local child protection system (CAPTA, Sec. 106(c)(6)). The child welfare agencies include the Nevada Division of Child and Family Services (DCFS), Clark County Department of Family Services (CCDFS), and Washoe County Department of Social Services (WCDSS).

Recommendation 1: CPS caseworker training needs to include and/or reinforce consistent definitions of the standard elements of child welfare practice.

Discussion: The 2005 report found:

- Citizen Review Panel members participated in the Clark County Department of Family Services Quality Improvement case reviews and observed a lack of uniform definitions for "parental

custody” and “in-home” placement. The Panel believes that Clark County Department of Family Services’ definition of an “in-home” placement is incorrect.

- Additionally, the Panel members observed caseworker confusion between the concepts of safety and risk and this was apparent in case documentation. Caseworkers need to be trained to consistently use the statewide safety assessment tool which clearly defines both safety and risk factors.
- The Panel believes that there needs to be statewide uniformity in the conceptualization and implementation of child welfare practice definitions.

Response:

This recommendation was incorporated by the State during the implementation of the Program Improvement Plan (PIP) that resulted from the Federal Child and Family Service Reviews in 2004. Policies, procedures, and practice guidelines were revised and standardized throughout the State to embody a uniform set of terminology and definitions used in child welfare practice. This included discussion and definition of “parental custody” and “in-home” placement in relevant policies. Training on these policy changes was required for all child welfare staff and supervisors. The PIP Policy and Training Plan and Schedules were provided to the Panel in the Five-Year Child and Family Services Statewide Plan for FFY 2005-2009, the Nevada Program Improvement Plan, and Quarterly Reports that are available at the DCFS website, [http://www.dcfs.state.nv.us/DCFS\\_reports.htm](http://www.dcfs.state.nv.us/DCFS_reports.htm). Instructional Memoranda were also provided to staff on specific topics, such as Safety Assessment, Child Fatality and Near Fatality screens in the Unified Nevada Information System for Youth (UNITY) computer system.

Policies on Assessment, the Family Risk Assessment Protocol (FRAP), Intake Response, Substantiation, and Safety Instructional Memorandum, were developed by a statewide team that included representatives from each public child welfare agency and the Nevada Training Partnership (University of Nevada, Reno and Las Vegas campus), Court Improvement Project, Information Management System, and other stakeholders. This process was facilitated by a consultant from the National Resource Center for Child Protective Services in an effort to incorporate “Best Practice” elements. Throughout the policy development process, ongoing efforts continue to ensure standardized definitions across all policies. This policy teams will begin reviewing and refining these policies in July 2006.

Conducting Risk Assessment (a two day training), which included emphasis on distinguishing between risk and safety, was offered from June 6, 2005-August 5, 2005. There were a total of 19 classes, 10 in Las Vegas, 5 in Reno (including a make-up session in December, for new employees or those who missed it before) and 4 classes in the Rural Region (two in Carson, Fallon, Elko). In all, 422 employees attended this training.

Intake Response and Decision Making (a two day training), which emphasized the distinction between present and foreseeable danger, began on January 5, 2006 and was completed in all Regions by February 28, 2006.

Recommendation 2: CPS caseworker training needs to include and/or reinforce appropriate actions to promote safety, permanency, and wellbeing through child welfare practice.

Discussion: The 2005 report found:

- Citizen Review Panel members who participated in the Clark County Department of Family Services Quality Improvement case reviews noted that some cases reflected a lack of understanding surrounding basic child protection concepts such as reasonable efforts, identifying and reaching out to non-custodial parents, the need to provide strengths-based outreach and services, and the importance of sibling relationships.



Response:

This recommendation was incorporated by the State during the implementation of the Program Improvement Plan (PIP) that resulted from the Federal Child and Family Service Reviews in 2004. Policies, procedures, and practice guidelines were revised and standardized throughout the State to embody best practice and a strength-based approach for child welfare practice. Training on these policy changes was required for all child welfare staff and supervisors.

Collaborative Case Management Training was offered from June 20, 2005, through August 25, 2005, with a total of 409 workers having been trained statewide. This course highlighted collaborative development of an individualized plan of care that focuses on the strengths, challenges and needs of the child and family. This training included reasonable efforts, identifying and reaching out to non-custodial parents as part of the planning efforts.

A mandatory web-based training on Diligent Search, offered throughout the month of March 2006, focuses workers on an ongoing process in which maternal and paternal family members (with an emphasis on non-custodial parents), fictive kin, friends and or other significant persons are continuously identified and engaged in the child's life and the case planning process in order to minimize placement moves, implement permanency plans, and ensure lifelong connections. A Diligent Search Handbook was also developed to give caseworkers the tools and guidance to conduct successful searches.

As a follow-up to these trainings, a statewide Quality Improvement process has been implemented to measure improvement in outcomes and to make recommendations for future enhancements to training. Additional curriculum specific to supervision issues is being developed and piloted in the Rural Region.

Recommendation 3: CPS caseworker training needs to reinforce the importance of data entry so that the contents of case files are consistent and complete.

Discussion: The 2005 report found:

- Panel members who participated in past reviews noted that consistent CPS case documentation is necessary statewide. This not only helps to ensure that required steps are taken in investigations, but also helps to ensure that outside reviewers understand the actions that have been taken for quality assurance and case compliance reviews.
- Citizen Review Panel members participated in the Clark County Department of Family Services Quality Improvement case reviews and noted that interviews with caseworkers sometimes showed that additional steps were taken by staff which led directly to positive outcomes for children and families, but were not included in the case documentation.

Response:

This recommendation is being incorporated by the State during the implementation of the Program Improvement Plan (PIP) that resulted from the Federal Child and Family Service Reviews in 2004. New policies on documentation are being developed using the same statewide collaborative process noted above. In addition to specific policies on documentation of medical and educational services to children and families, training will include instruction on writing accurate (descriptive) and objective case notes, closing and transfer summaries. Training will be delivered according to the Statewide Training Plan, prior to September 30, 2006.

The Quality Improvement Unit (QI) will be working closely with the Information Management Systems (IMS) during standing bi-weekly meetings, regarding the progress on the data improvement plan for the Adoption and Foster Care Reporting System (AFCARS). QI will be using AFCARS monthly and semi-annual reports in conjunction with quarterly Solutions for Online Activity (SOAR) reports for analysis of current trends and areas needing improvement.

Recommendation 4: DCFS Administration should invite the existing Child Welfare Citizen Advisory Committees to participate as CRPs as part of the proposed CRP expansion for 2006.

Response:

This recommendation has been incorporated by the State. The chairs of these committees were approached with this proposal and upon meeting with their committee members, were agreeable to act as a Citizen Review Panels. Formal notification was sent in May 2006 to the Chairs of the Northern and Southern Child Welfare Citizen Advisory Committees. They will convene as Citizen Review Panels by July 2006.

I would like to take this opportunity to thank the members of the Nevada Citizen Review Panel for their volunteer work to improve the child protection system and look forward to their continued review and recommendations.

Sincerely,

Fernando Serrano, Administrator

Cc: Annette Appell, Citizen Review Panel Member  
Mary Herzik, Citizen Review Panel Member  
Nancy McLane, Acting Administrator, Clark County Department of Family Services  
Michael Capello, Director, Washoe County Department of Social Services  
Theresa Anderson, Deputy Administrator  
Barbara Legier, Clinical Program Planner III

## **APPENDIX B**

### **CHAFEE FOSTER CARE INDEPENDENT LIVING PROGRAM (CFCIP)**

#### **PROGRAM DESCRIPTION**

##### Goal and Eligibility

The goal of Nevada's Independent Living Program is to provide children making the transition into adulthood with the skills and resources necessary to be independent and productive members of society.

The Division of Child and Family Services is responsible for the oversight of independent living programs in Nevada. The oversight responsibility is assigned to the statewide independent living specialist at the Division Central Office. Nevada is a state-supervised and county-administered program in the two major metropolitan counties, Clark and Washoe. Nevada continues to supervise and administer all child welfare programs in the remaining 15 rural counties, comprising the Rural Region. Nevada plans to continue the implementation of its IL Program by allocating both federal and state funds to the two county-administered programs, the State administered Rural Region, and tribal entities. The State will continue to retain a portion of the federal funds to develop statewide systems and materials to support county and rural implementation efforts, to monitor program development and implementation, to provide technical assistance, and to continue to assess program impact. Nevada and its independent living partners will cooperate with the national evaluations of the effects of independent living programs in achieving the purposes of the Chafee Foster Care Independence Program.

Nevada's Independent Living Program is a set of services available to all foster youth between the ages of 15 until the age of 21. The Division considers all eligible foster youth to include those youth who are in the care and custody of the Division, Washoe County Department of Social Services, or Clark County Department of Family Services. The Division considers foster care to be the legal status of the child. The physical placement of the child does not determine the eligibility for independent living services. Independent living services may continue with the child after permanency has been achieved, depending on the needs of the child. Nevada will also extend independent living services to eligible youth who have relocated to Nevada from another state.

Federal independent living funding is provided to all county and state programs to provide independent living services, expand existing services, and to establish new services to eligible children. Federal funds are combined with existing state funds to provide independent living services to eligible foster youth and former foster youth transitioning to independence. State funds through the Assistance to Former Foster Youth Program (AB 94) are funds dedicated to Nevada foster youth who are transitioning from care and for Nevada youth who have aged out of the Nevada foster care system.

In 2000, the Nevada State Legislature passed legislation creating the Assistance for Former Foster Youth fund by requiring county recorders to collect an "additional fee of \$1 for recording a document, instrument, paper, notice, deed, conveyance, map, chart, survey or any other writing" other than the originally signed marriage certificate. This fund was specifically created to provide the necessary goods and services to Nevada youth who age out of the foster care system. The Legislative Council Bureau, with the concurrence of the Office of the Attorney

General, determined that the fund could also be used to assist youth who are currently in the care and custody of the state with their transition to independence. Services are available until the youth reached the age of 21. Goods and services include, but are not limited to, job training, housing assistance, case management, and medical insurance. The legislation directs the State to limit the administrative costs of the fund to 10% or less. During the Child and Family Services Review in February 2004, Nevada was commended for the creation of this fund, and the fund was noted as a promising practice in Nevada.

## **SCOPE OF SERVICES**

Nevada makes available federal and state funds to support IL services to support existing programs as well as encourage the development of new programs. Nevada will continue to encourage the counties and Rural Region to out-source its programs through private vendors to fully develop the array of services necessary for their region.

Funds for the Independent Living Program are distributed from the state to the counties and to the Rural Region to support independent living program development and activities. In Clark County, Chafee funds are distributed through the Department of Family Services (CCDFS) to Future Stars of America, a non-profit organization. Ansell-Casey Life Skills Assessments and life skills classes are provided by Future Stars of America who partners within the private non-profit and profit sector to compliment their array of independent living services. In addition, state resources from the Assistance to Former Foster Youth Fund are combined with Chafee funds for youth who have left placement. CCDFS sub-contracts with Child Focus, a private non-profit agency for the purpose of providing the funds and services associated with the Assistance to Former Foster Youth funds.

In Washoe County, all Chafee and state funds are routed through Washoe County Department of Social Services (WCDSS) to the Children's Cabinet, a private, non-profit organization, to provide independent living services to eligible youth who are in custody and to those youth who have left placement. The Rural Region of DCFS routes both federal and state funds through JOIN (Job Opportunities in Nevada), a WIA (Workforce Investment Act) provider, for all independent living program activities for youth in care, and to those youth who have left placement. The Rural Region routes additional Chafee funds for stipends to youth in care through IV-B Family Resource Centers.

The Division has partnered with the Tribal Stepping Stones Shelter in Fallon, Nevada to receive Chafee and AB 94 funds for Native American Youth. The Stepping Stones Shelter is on the Fallon Paiute-Shoshone Reservation in Fallon, Nevada. Nevada distributes independent living funds, both federal and state funds, to tribal youth through the Fallon Paiute-Shoshone Tribal Stepping Stones Shelter enabling the tribes to develop programming specific to tribal youths needs. Stepping Stones was designated to be the Chafee recipient by the Nevada tribal entities after lengthy consultation and deliberation. (Refer to Attachment, Figure 1, Statewide Programs and Distribution of Funds.)

DCFS continues to collaborate with trustees overseeing the Otto Huth scholarship award program. Scholarships are awarded to youth aging out of the foster care system in the state of Nevada. As a result of meetings with the scholarship committee, policy revisions concerning eligibility are being considered in order to open the scholarship to a greater number of foster youth. It is anticipated that any changes made to existing policy will be made prior to the next award cycle in April 2007.

For Fiscal Year 2007, Nevada's Independent Living subgrantees and service providers will be provided with additional technical assistance from the University of Nevada, Reno in order to develop online reporting and performance indicators. It is anticipated that additional assistance in this area will provide the State and its subgrantees specific outcome data for continued program development and enhancement with the goal of providing quality services to improve the quality of life for our youth.

#### **PROGRAM ACTIVITIES FOR YOUTH IN CARE AND YOUTH IN TRANSITION**

Federal independent living funds may be used by Washoe County, Clark County, the Rural Region and Stepping Stones to support a wide variety of activities for youth in custody that meet the eligibility requirements for the Chafee Foster Care Independent Living Program. The State provides guidance and makes available technical assistance regarding independent living services.

The following program activities are provided to youth:

1. Individualized assessment of the independent living needs of eligible foster youth and the development of independent living case plans based on the results of the assessment.
2. Individualized assessment including the Ansell-Casey Life Skills Assessment.
3. Development of a Life book/portfolio for each youth.
4. Classroom teaching and experiential learning programs in daily living skills, life skills, self-management, interpersonal relationships, career planning, locating and maintaining housing, etc.
5. Provision of stipends.
6. Financial assistance for legal guardianships.
7. Job training, placement, job coaching, and follow-up services.
8. Assistance in obtaining higher education and vocational training, including technical assistance, financial assistance and financial aid counseling.
9. Preparation for GED completion.
10. Preparation for high school graduation, high school support and retention, and drop-out prevention.
11. Development and utilization of programs directed at improving self-esteem and self-confidence e.g., retreats, youth conferences and workshops, youth leadership events, group and individual counseling.
12. Development and utilization of programs to provide support and parenting education to assist teen parents, including teen fathers.
13. Development and utilization of programs to provide support for youth transitioning from foster care.
14. Purchase of books, audiovisual materials and equipment, and other resources to be used in providing life skills and other training to youth in the program.

#### **PROGRAM ACTIVITIES FOR FORMER FOSTER YOUTH**

Nevada incorporates the use of state funds specified for former foster youth between the ages of 18-21 who meet the eligibility requirements with the federal independent living funds and routes the funds to Washoe County, Clark County, the Rural Region and Stepping Stones for program development and service delivery.

Nevada recognizes that safe and stable housing for all former foster youth is the key to providing permanence to youth. Nevada uses both federal and state money to provide for room and board for former foster youth. Nevada defines room and board as those expenses incurred by the youth for rent, utilities, deposits, and food after exiting care. These services are provided to youth who are no longer eligible to receive IV-E payment and are available until the youth turns 21 years old. Not more than 30% of the Chafee funds allocated to the urban counties, the DCFS Rural Region and Stepping Stones are allowed to be used for room and board for former foster youth.

The following program activities are provided:

1. Support to youth in transition to independence with specialized case management.
2. Support to youth in transition to independence with individual stipends, e.g., security deposits, utility deposits, application fees, rental deposits, etc.
3. Post-secondary education workshops.
4. Service coordination to provide outreach.
5. Service coordination to provide referrals to community and governmental agencies to provide for the youth's needs, e.g., health care, dental care, counseling, mental health, substance abuse counseling, family planning, housing, social security benefits, welfare benefits, etc.
6. Financial assistance for housing and utilities.
7. Financial assistance for medical, pharmacy, dental, and vision services not covered by insurance or existing social service programs.
8. Financial assistance for basic needs e.g., food, clothing, furniture, household items, etc.
9. Financial assistance for transportation, including assistance for public transportation, assistance with purchasing a vehicle, and drivers education.
10. Education and training in basic life skills such as daily living, self management, interpersonal relationships, etc.
11. Assistance for teen parents, including teen fathers, e.g., parenting classes, assistance with cost of childcare, referrals to community support agencies.
12. Assistance with obtaining essential documents e.g., social security card, birth certificate, work permits, identification cards, passports, etc.
13. Financial assistance to pay for fees associated with essential documents.
14. Legal assistance.
15. GED preparation and testing.

#### LEGISLATIVE ACTIVITIES IMPACTING YOUTH LEAVING FOSTER CARE

The 2005 Nevada State Legislature passed AB 580 effectively amending Chapter 422 of the Nevada Revised Statutes (NRS) requiring the Medicaid State Plan to include and serve foster youth who have aged out of the foster care system. The legislation was effective July 1, 2005.

AB35 allows county employees to sign and verify an application for an instruction permit to drive or a driver's license of a person under the age of 18 years who is in the legal custody of the county. This bill also provides that no action may be commenced against the county or an officer or employee of the county for damages caused by the negligence or willful misconduct of a minor driver whose application for a driver's license was signed by an officer or employee of the county while the minor was in the custody of the county. Prior to this legislation, only state employees were provided this protection impacting county employees' ability to consent to youth driver's licenses for those youth in county custody.

## **STATEWIDE TRAINING ACTIVITIES**

DCFS provides training and technical assistance throughout the state, and individualizes training to each region, specific to that region's service array. Printed material is developed and distributed statewide. In addition to technical assistance offered to all providers for quality assurance and program implementation, statewide training is available on the UNLV School of Social Work training website.

The National Resource Center for Youth Development sponsored a two-day training, Youth Development-The Vital Link, in December 2005 in Las Vegas, Nevada. The event was well attended by representatives from the county and state child welfare agencies, tribal entities and statewide care providers. The purpose of this training was to present new and innovative approaches to preserving connections for youth in foster care, as well as commence discussion and design of a Youth Advisory Board. Work will continue in the development of a Youth Advisory Board pilot project. Once developed, the process will be replicated in other areas statewide.

In February 2006, the NRCYD hosted another event for Independent Living Specialists in Tulsa Oklahoma. This two day event targeted Chafee budgeting plans for each state, and one child welfare worker was invited to attend.

In April 2006, ten (10) foster youth, ten (10) youth from the juvenile justice system and several staff members (workers, management and administrative) attended the Governor sponsored "Youth Today-Employees Tomorrow: Engaging the New Workforce Conference." The statewide conference provided youth and youth workers with a program that emphasized skills and resources necessary to be successful in school and today's workplace. Administrative and program development staff attended a separate track along with representatives from the Department of Employment, Training and Rehabilitation, JOIN, Vocational Rehabilitation and Job Connect focusing on program development and inter-agency collaboration.

As a result of the conference, several employers in the Las Vegas area have committed to sponsoring youth to attend employment workshops in summer 2006. These workshops are facilitated by the employers in conjunction with the Southern Nevada Workforce Investment Board. Sponsored by the Governor's Youth Council Taskforce, work will continue to statewide to implement new strategies and collaborations with community partners to enhance our school-to-work programs.

Nevada showed statewide support in its attendance of the "Pathways to Adulthood Conference" held in April 2006 in Portland, Oregon. Stepping Stones, the counties, the Rural Region and our service providers were in attendance and are currently in the process of determining how to incorporate new initiatives into future practice.

## **COLLABORATIONS THROUGH PUBLIC AND PRIVATE PARTNERSHIPS**

Statewide public and private partnerships are developed to provide IL services throughout the state. Each region develops a service array unique to their community. Representatives from independent living partners from all regions, including tribal representation and independent living youth, contributed to the development of the statewide CFSP process.

An independent living oversight committee meets monthly in Clark County to review independent living programs within the region. The primary focus of the committee has been

addressing the needs of foster youth transitioning from care, and the needs of former foster youth. The committee is chaired by the Director of the Clark County Department of Family Services and is comprised of representatives from public and private stakeholders, including the court, youth, former foster youth, and foster parents.

Through the financial support of the Ritter Charitable Trust, in partnership with the Nevada Community Foundation Task Force on Foster Youth, the “Into the World A Life Book” was developed and distributed to youth exiting foster care in Clark County in 2005. These books provide information about community resources, daily living skills, legal issues, personal safety, money management and spiritual and physical health. The book has been revised and distributed in 2006 to youth aging out as well as those older youth remaining in the system. The Ritter Charitable Trust has agreed to revise and produce this book for our rural and Northern Nevada youth. This endeavor will begin in the summer 2006.

### **TRIBAL EFFORTS**

Native foster youth throughout the state are eligible to receive the full scope of independent living services from the region in which they reside. In order to ensure that tribes and Native youth are informed of the services, DCFS meets with tribal representatives through the Indian Child Welfare Steering Committee. These meetings provide a forum for state and tribal representatives to discuss issues relating to child welfare. The meetings are held at various tribal locations and are jointly facilitated by tribal and DCFS representatives.

During these meetings, independent living information and updates are provided to participants. This tribal association, in partnership with the state, determined that the independent living needs of tribal youth would best be met through their tribal shelter, Stepping Stones. Stepping Stones serves Native youth from all of the Nevada tribes. Nevada has encouraged its tribal partners to review its youth who have exited from care to determine if services can be expanded. The tribal entities in Nevada recently designated the Stepping Stones shelter as the appropriate statewide recipient for the Assistance to Former Foster Youth funds.

The Fallon Paiute-Shoshone Tribal Stepping Stones Shelter continues to partner with DCFS and other agencies within the state in order to improve and strengthen its service array for current and former native foster youth. At this time Stepping Stones Shelter is receiving Chafee and AB 94 funds and recently submitted a proposal to receive Assistance to Former Foster Youth money in order to support the infrastructure and service array necessary to provide services to tribal youth. The services provided by Stepping Stones include housing, food, clothing allowance, medical care, information and referral, educational services, Ansell-Casey Life Skills Assessment, life skills training, and job employment skill development.

Representatives from the Stepping Stones Shelter attend a two day training program sponsored by the National Resource Center for Youth Development (NRCYD), 2005 conference, “Youth Development: The Vital Link” workshop at Las Vegas, Nevada.

During the ICWA Symposium (Appendix E) held on June 14, 2006, the Stepping Stones Program provided information to other statewide tribal representatives regarding IL an aftercare programming.



## **ADMINISTRATIVE SYSTEMS CHALLENGES**

In March 2004, the Division issued an Instructional Memorandum (IM) to the two urban counties, the DCFS Rural Region and Stepping Stones regarding the Assistance to Former Foster Youth fund. The purpose of the IM was to clarify the eligibility criteria for accessing the funds as defined in statute, and that assistance to youth transitioning to independence is an appropriate use of the funds, although the youth may not have reached the age of 18.

The statewide independent living service array in Nevada is in the process of being implemented to address transitional living options, medical services, mentoring, and necessary skill development for youth to achieve independence. As part of Nevada's Program Improvement Plan (PIP) there have been several action steps that specifically address improving services and planning efforts for custodial youth that will result in the standardization and development of services for youth. PIP items 7.1 and 7.2 address case planning and the need for diligent search efforts for youth.

PIP Item 10.1 addresses the development of statewide and local youth advisory boards. During the past year, DCFS worked with the National Resource Center on Youth Development to create Statewide Advisory Boards, and is now in the process of developing a strategic plan to implement the boards. In addition, PIP Item 10.2 addresses the need for standardized transition plans for all youth in care and in 2005, policy was created that requires each youth by the age of 15 ½ have a transitional living plan in place. A statewide team including tribal and service provider representatives developed the statewide Independent Living Plan and utilized focus groups to illicit input from youth and placement providers. Implementation of the plan should commence in September 2006.

A Memorandum of Understanding (MOU) between the Division of Child and Family Services and the Division of Mental Health and Developmental Services (MHDS) to assure transition of youth to adult services is in the process of being developed (PIP Item 10.3). The Statewide Collaboratively Served Youth (CSY) Committee first met in early September 2005 to work on the MOU. The committee has met monthly since that time and identified several issues that needed to be addressed in order to begin the work of writing a comprehensive Memorandum of Understanding (MOU) between DCFS (including Washoe and Clark Counties) and the Division of Mental Health and Developmental Services (DMHDS). These issues include funding, full participation of adult mental health in the development of the MOU, cross-agency training, Clark and Washoe County's involvement as full partners in the MOU, and articulation of respective agency missions.

The CSY Committee recognized the need for members to consult with their agencies regarding "collaborative budget building" in the coming legislative biennium. The result of these consultations will provide direction to each agency's administration for the purpose of insuring funding and seamless delivery systems for children with dual diagnoses.

The CSY Committee has now assigned a workgroup, with representation from all regions and all committee stakeholders, to begin the draft of the MOU. The workgroup met on February 10, 2006 to begin this process and intends to complete its draft MOU by April 3, 2006. The Transforming Children's Mental Health Treatment Services in Nevada Steering Committee began monitoring the work of the CSY Committee in October of 2005 and directives have been made at the Departmental level of state government. Nevertheless, complications related to

revising budgets for the biennium legislative session mean that the MOU may not be finalized and executed until January 1, 2007.

## **PLANNING NEEDS**

### **1. Statewide Plan**

Statewide planning for independent living was initiated in April 2004. Stakeholders from around the state were invited to participate in the planning process. Participants included representatives from youth, tribes, and independent living providers. The work group focused on improving permanency outcomes for older foster youth and youth likely to remain in care until they age out of the foster care system, however, there continues to be a need for planning and program improvement. With assistance from the National Resource Center for Youth Development, there was a statewide meeting in Fall 2005, in order to further define the direction of the program in order to enhance the infrastructure necessary to improve and sustain Nevada's Independent Living programs. Items addressed included youth eligibility, eligibility of juvenile corrections youth, expanding the scope of programming, statewide and local youth advisory boards, enhanced coordination of services, planning for youth in transition, identification of service strengths and barriers, and comments/concerns regarding existing and future services.

### **2. Youth Development**

Youth and staff have been encouraged to attend the 2006 Casey Family Programs Youth Conference and/or Destination Futures National Youth Leadership Conference.

Nevada will continue to elicit assistance from the National Resource Center for Youth Development (NRCYD) in order to support activities/practices to assist youth in developing the skills necessary for successful transition to adulthood. In addition, there will be an emphasis on how to create and sustain statewide and local advisory boards to assist youth with advocacy, self-advocacy, leadership development, and program improvement efforts.

### **3. Policy and Procedure**

Nevada has developed, and implemented policies and procedures regarding permanency planning for youth aging out of the system and the adoption of older youth. The challenges presented in independent living planning were also addressed by the development and implementation of new policy on diligent search efforts as well as case management and case planning. In 2006, a statewide team developed a standardized transition plan which are to be individualized and youth driven. The development of these policies and procedures are the result of statewide collaboration required for PIP policy development and strategic state planning to improve services and permanency outcomes for foster youth.

### **4. Training Needs**

The Division recognizes the need for continuous training and technical assistance as follows:

- Nevada will continue to utilize training and technical assistance from the national resource centers for development and implementation of independent living programs statewide;
- Nevada will collaborate with foster care training, recruitment, and licensing to develop an independent living training module for foster parents;

- Nevada will include independent living foster youth (current and former) to assist in the training of foster parents;
- Nevada will provide statewide training to existing foster parents and care providers regarding independent living services and resources;
- Nevada will develop training for staff and supervisors regarding the identification of significant connections for youth and how to perform diligent search;
- Nevada will train staff and supervisors to ensure that they are knowledgeable about the full array of housing options that best meet the individualized needs of youth.
- Nevada will collaborate to enhance the coordination between IDEA and independent living planning; and
- Nevada will continue to provide statewide training to all workers, supervisors, independent living partners and stakeholders regarding independent living, and access to services.

**Chart 9. STATEWIDE PROGRAMS AND DISTRIBUTION OF FUNDS**

	CLARK COUNTY	WASHOE COUNTY	RURAL REGION OF DCFS	TRIBAL SHELTER
CHAFEE FUNDS	Future Stars of America  CASA Foundation	The Children's Cabinet of Washoe County	Job Opportunities in Nevada (JOIN)  Ron Wood Family Resource Center	Stepping Stones Tribal Shelter
STATE FUNDS FOR FORMER FOSTER YOUTH	Child Focus	The Children's Cabinet of Washoe County	Job Opportunities in Nevada (JOIN)	Stepping Stones Tribal Shelter

**Chart 10. TOTAL YOUTH SERVED 2005**

	CLARK COUNTY	WASHOE COUNTY	RURAL REGION OF DCFS	TRIBAL SHELTER	TOTAL
CHAFEE FUNDS	195	47	73	17	332
STATE FUNDS FOR FORMER FOSTER YOUTH	446	216	71	6	739

## **APPENDIX C**

### **EDUCATION TRAINING VOUCHER PROGRAM (ETV)**

#### **INTRODUCTION**

Federal legislation implemented the Foster Care Independence act of 1999 (FCIA), also called the John H. Chafee Independence Program. The State of Nevada's funding allows increased support and services to foster youth transitioning from foster care to independent living and former foster youth between the ages of 18 and 21 years of age. An additional \$42 million was earmarked for Chafee Independent Living; Education and Training Vouchers Program under appropriations for FY2003 and this Bill was signed into law on February 20, 2003.

The State of Nevada Department of Human Resources, Division of Child and Family Services was approved and received first year funding of the Education Training Voucher (ETV) Program for fiscal year 2003, with actual spending period from January 1, 2004 to September 30, 2004 with an award totaling \$138,764 serving 46 youths. Second year funding was approved and received for fiscal year 2004 with an actual spending period from October 1, 2004 to June 30, 2005. In 2005, DCFS received a total of \$192,673 in ETV funding, serving a total of 63 youth in Nevada during the time period from July 1, 2005 to June 30, 2006.

The ETV Program allows states to provide funds for youth who have been in foster care to attend an institution of higher education (as defined by the Higher Education Act, section 101,102). Foster youth may receive up to \$5,000 per year or the total "cost of attendance" (as defined by the Higher Education Act, section 472). For Nevada's foster youth and former foster youth who are planning to attend postsecondary schools and specialized technical and/or vocational job training programs, the ETV Program provides support and needed services to allow the attainment of their educational goals. The Division supervises the ETV program and distributes ETV funds to eligible youth through a grant to a community nonprofit organization.

## State of Nevada ETV Program 2005

**CHART #11**  
**NUMBER OF YOUTHS SERVED 2005**

Total number of youths served	63
Average Age	19
Number of youths attending university	15
Number of youths attending community college	29
Number of youths attending vocational school	14
Number of youths receiving tuition only	21
Number of youths receiving tuition plus other costs	42

**CHART #12**  
**GEOGRAPHIC BREAKDOWN 2005**

Number of Youths from Reno area	15
Number of youths from rural area	12
Number of youths from Las Vegas area	36

## State of Nevada ETV Program FY 2004

**CHART #13  
NUMBER OF YOUTHS SERVED 2004**

Total number of youths served	46
Average Age	18
Number of youths attending university	8
Number of youths attending community college	30
Number of youths attending vocational school	8
Number of youths receiving tuition only	31
Number of youths receiving tuition plus other costs	15

**CHART #14  
GEOGRAPHIC BREAKDOWN 2004**

Number of Youths from Reno area	5
Number of youths from rural area	7
Number of youths from Las Vegas area	34

### PROGRAM GOALS

1. Assist youth to make the transition to self-sufficiency.

Eligible foster youth's educational goals are developed with youth and their Social Worker/IL Advisor in the youth's "Transitional Plan" for independent living. Information of the ETV program is provided at the development of youth transition planning and during the youth's exit interview.

Currently established collaborations with community-based independent living contractors have expanded to include outreach and educational goal planning for foster and former foster youth. Improved tracking and reporting requirements, as well as specific outcome-based procedures are in development during first-year program operation. The Division contractors, community partners, state and county social workers are coordinating and collaborating to provide that services are delivered to the highest number of eligible foster youth and to ensure that youth are encouraged to follow through with postsecondary school application requirements and funding requests. With an increased focus on postsecondary education from all independent living contractors, which includes assistance in planning educational or vocational training, applying for financial aid and additional support, more youth will remain motivated to reach their educational and vocational goals.

2. Assist youth receive education, training, and services necessary to obtain employment.

Statewide, the Chafee funds support independent living programs, which provide individualized life skills trainings and workshops for foster youth to prepare them for self-sufficiency in the community. IL Advisors assist youth to determine job interests, necessary education or vocational training, job workshops, budgets, practicing informed decision making and other skills necessary for employment. The ETV Program fund removes barriers for foster youth to attend vocational school or trainings to further their employment opportunities.

3. Assist youth prepare for and enter postsecondary training and educational institutions.

Education achievement determined by the number of youth who leave foster care with a GED or high school diploma has dropped in recent years in Nevada. Approximately 59% of exiting youth receive a GED or high school diploma, as many youth are unable to pass the required state basic skills proficiency tests. Additional tutoring in basic skills such as English or math is necessary for many foster youth, as these youths often become discouraged and do not make the additional effort to obtain their GED or high school diploma after exiting from foster care.

Following state funding initiatives for former foster youth, a database is under development to track characteristics of the foster youth transitioning out of care. This will allow more effective transition planning and increased interventions for all exiting youth and provide a more complete support system for the youth upon exit. Identifying youth, before exiting care, with educational deficiencies and providing services such as tutoring, postsecondary education workshops, GED preparation and testing will better prepare youth to enter and complete postsecondary education and/or training programs.

To qualify for the ETV program, foster youth must be planning to graduate from an accredited high school, must have graduated from an accredited high school, or must have a GED or certification of high school completion for students who completed the mandatory hours required for high school instruction, but did not pass the high school proficiency exams.

The youth's postsecondary school or vocational/training program must meet the following criteria:

- a. Must be accredited or pre-accredited and is authorized to operate in that state.
- b. Admits only students with a high school diploma or equivalent and/or students beyond the age of compulsory school attendance.
- c. May be a public or nonprofit school or training program that awards a Bachelor's degree.
- d. May be a public or nonprofit school or training program that offers not less than a two-year program and that provides credit toward a degree, or provides training towards gainful employment.
- e. May be a vocational program that provides training for gainful employment and has been in existence for at least two years.

Although youth are encouraged to participate in full-time educational programs, the ETV program does not exclude youth who attend less than full-time, as this would limit the number



of youth who would benefit from this program. The program provides personal and emotional support to youth through mentors and to encourage and promote interactions with dedicated adults.

Independent Living Services are provided by contracted community partners and focus upon services for foster youth in care, the transitioning youth, and the youth who has aged-out of care. Specialized case management is developed for the youth and allows tracking and outreach. Each program coordinates information and referral for the youth. In addition, state and/or county social workers are available to youth and refer former foster youth to services. The ETV Program builds upon services available with existing programs and youth and their IL Advisors/Social Workers may contact the State Independent Living Specialist by telephone, mail, or electronic mail for continued ongoing information and support. ETV provides financial, housing, counseling, employment, education, and other appropriate support and services to former foster youth between 18 and 21 years of age.

ETV funds may be applied for in conjunction with other funding sources, including the State Fund for Former Foster Youth. The amount of a voucher shall be disregarded for the purposes of determining the recipient's eligibility for, or the amount of, any other federal or federally-supported assistance. Current programs created especially for the former foster youth provide referrals, goods, and services for this population. The ETV Program is an added component of these services. The total amount of educational assistance to a youth under the ETV Program and under other Federal and Federally supported programs shall not exceed the total cost of attendance or \$5000 per year, as defined in section 472 of the Higher Education Act of 1965. The Division shall take appropriate steps to prevent duplication of benefits under this and other federal and federally supported programs. ETV Funds can be used for, but not limited to:

- Tuition and Fees
- Tutoring and Required Tests
- Transportation
- Books and Supplies
- Uniforms, Tools of the Trade
- Computer, Printer, Supplies
- Childcare
- Utilities and Deposits
- Meal Plan, Glasses, Adaptive Software, etc.

Vouchers are available for education and training, including postsecondary education to youth who have aged out of foster care.

The youth's state or county ILP Social Worker/IL Advisor shall inform youth of the ETV program and how to apply. The State Independent Living Specialist will inform community service providers and other state agencies, which maybe serving former foster youth of the resources available for the youth. In addition, queries by social service agencies, the foster and adoption community, high schools, vocational schools, colleges and universities concerning the ETV program shall be supplied with information and/or referrals. Youth may

also access applications by contacting contracted aftercare service providers, by on-line applications, or contacting the State Independent Living Specialist.

Outreach in development includes coordination with the admission and financial aid staff of Nevada's community colleges and universities and vocational/technical schools. All foster youth exiting care are informed of resources and services available and are encouraged to develop a support network within their community. Foster youth participating in the ETV program on their 21<sup>st</sup> birthday shall remain eligible, until they turn 23 years old, as long as they are enrolled in a postsecondary education or training program and are making satisfactory progress toward completion of that program.

In 2006-2007, the ETV program will be provided technical assistance through the University of Nevada, Reno to streamline the program objectives and outcomes. In addition to this input, the Scope of Work for this program has expanded in order to promote coordination between the sub-grantee responsible for administering ETV funding, and other IL services providers. These efforts will result in comprehensive service coordination for the youths utilizing the ETV program.

#### Nevada Matching Funds

Nevada provides additional funding to eligible youth who have aged-out of the State foster care system. Funds may be used in conjunction to ETV funds to provide additional financial supports for the foster youth while a student. A portion of the state fund for the Assistance to Former Foster Youth Program (20%) is the match for the ETV program grant.

## **APPENDIX D**

### **TITLE IV-E TRAINING PLAN**

The State of Nevada received the Child and Family Service Review (CFSR) Summary of Findings Report in June 2004. The Program Improvement Plan (PIP) was approved as of March 2005. The training plan reflects the evolution of a training system that incorporates the CFSR findings into the initial, required (PIP training), specialized and advanced staff training. Training offered by the Division of Child and Family Services supports the outcomes for safety, permanency, and well being for children in foster care, by achieving the goals and objectives of the PIP. The plan also addresses the Educational Stipend Program, Resource Family training and the new University Partnership training contract.

#### Federal Requirements Compliance

Through the Nevada Partnership for Training, which includes the University of Nevada, Reno (UNR) & University of Nevada, Las Vegas (UNLV), Division of Child and Family Services (Division), Washoe County Department of Social Services (WCDSS) and Clark County Department of Family Services (CCDFS), social work education and permanency planning training is provided to students in preparation for employment with public child welfare agencies; in addition to initial (pre-service) training and ongoing training to staff who promote and provide permanency services and supports. The anticipated outcome is that curriculum development and training will support and enhance standardized, strengths based and solution oriented practice throughout Nevada. Curriculum development, training and field placement programs are intended to comply with the following:

- 45CFR1356.60 (c), which allows these types of programs to support activities "...necessary for the proper and efficient administration of the Title IV-E state plan";
- 45CFR235.62 (A), which permits any such program to "include short term and long term training at educational institutions through grants to institutions or by direct financial assistance to students enrolled in institutions or agency employees or persons preparing for employment with the state or local agency.", and
- 45CFR235.63 (c)(1), which states that "Grants are made for the purpose of developing, expanding, or improving training for personnel employed by the state or local agency or preparing for employment by the State or local agency administering the program. Grants are made for an educational program (curriculum development, classroom instruction, field instruction or any combination of these) that is directly related to the agency's program."

## Reference Documents

The documents listed have been instrumental in preparing the universities and agencies for the development and execution of Nevada's Training plan.

Attachments:

- Program Improvement Training Plan
- Trainings Activities Matrix

## Strategic Planning Process

Anita Barbee, from the National Resource Center for Child Welfare Training and Evaluation, facilitated strategic planning of the PIP training schedule. Nevada chose to cluster PIP training items into seven courses, resulting in a more streamlined and logical process flow. Minor adjustments have been made to the original training schedule, resulting in the addition of an eighth face-to-face training.

Planning and implementation has been a combined effort of the Policy Teams, Nevada Partnership for Training, and Web Registration staff. Policy Teams consist of representatives from each of the public child welfare agencies, Family Programs Office, internal and external stakeholders, field experts and representatives from the universities. Todd Holder, from the National Resource Center for Child Protective Services, consulted with the "Risk Assessment," "Safety Assessment" and "Intake Response" policy teams. Rose Wentz and Janyce Fenton, from the National Resource Center for Family Centered Practice and Permanency Planning, provided technical assistance to the "Collaborative Case Planning" policy team. Rose Wentz was particularly helpful in facilitating the integration of concurrent planning into the Case Management Model. Based upon direction from the policy teams, the Universities are able to evaluate and modify existing national curriculum to meet Nevada's training needs.

The Nevada Partnership for Training meets weekly to review progress on curriculum revision, training preparation and implementation. The Universities work in close collaboration with agency representatives to prepare and deliver PIP training.

The Nevada Partnership for Training reviews curriculum and reviews training updates, as well as discusses strategies that the agencies can use to support training. Curriculum for each training module must be reviewed and approved by Policy Approval and Review Team (PART) and the Decision Making Group (DMG).

Supervisors and their units attend all of the PIP training sessions together. In order to schedule the approximately 400 staff, a training plan was created starting at the unit level. The plan was rolled up into a regional plan and then into the State Plan. The State Training Plan has been extremely helpful in planning the classes, organizing travel and coverage within the agencies.

The Web Registration Team (including representatives from the Nevada Partnership for Training) was created to guide the development of the Web Registration System. The Web System has the capability to provide a variety of reports; including enrollment and attendance reports. It also generates pre-populated travel claims and Continuing Education Units certificates upon completion of the class. To date, over 1,200 student accounts have been created, allowing child welfare staff and internal and external stakeholders from across the state to register for training; including the seven PIP courses.

### Re-allocation of Resources

The universities each employ a full-time training coordinator; three additional trainers, and two web registration coordinators, for implementation and delivery of the PIP training series. The university training staff has been oriented to Nevada's child welfare system. The trainers have completed a course called "Training of Trainers," received small group instruction related to curriculum development and use of technology to support training activities. The universities have developed training facilities and communicated the training plan to the public child welfare agencies.

### Child Welfare Staff Training

The child welfare staff trainings are provided through the Nevada Partnership for Training. All new child welfare staff will continue to receive initial training. Advanced training and specialty trainings will be provided on a statewide basis. PIP training has been offered to all child welfare staff and community partners. All of the trainings are based upon standardized policies and reviews of national curricula.

In addition to the eight face-to-face trainings, three Web-based courses have been made available to all staff, through the UNLV School of Social Work website. These modules including; Diligent Search, Social Summary and Independent Living, were developed by staff from both universities in collaboration with policy teams. All agency identified staff members completed these modules prior to June 30, 2006.

### PIP Training

From June 2005 through June 2006, the following PIP courses have been or will be developed and implemented:

- Conducting Risk Assessment
- Collaborative Case management and Ongoing Assessments
- Intake response and Decision Making Process
- SOAR and use of Web Based Reports
- Visitation to Promote Placement Stability and Permanency
- Permanency Service Delivery
- Relinquishment and Adoption Subsidy Protocol

The PIP Training Plan began with the Supervisory Summit in April 2005. Nearly 100 supervisors and managers met in Las Vegas to kick off the PIP training series. As of June 30, 2006, seven courses have been completed, including the following:

- Conducting Risk Assessment (two-day) was the first training offered in the series, from June 6, 2005-August 5, 2005. There were a total of 19 classes, ten in Las Vegas, five in Reno (including a make-up session in December, for new employees or those who missed it before) and four classes in the Rural Region (Carson City, Fallon, Elko). In all, 422 employees attended the training.
- Collaborative Case Management and Ongoing Assessment (three-day) started on June 20, 2005. There were a total of nine classes, six in Las Vegas and three in Reno. Based upon feedback from the agencies, it was reduced to a two-day training called Case Management and there were two more classes in Las Vegas, one in Reno and four in the Rural Region (Carson City, Fallon, Elko). By August 25, 2005, a total of 409 had attended (226-3 day, & 183-2 day).

- Using Data in Supervision was a one-half day training for supervisors only, however, in Clark County; it was combined with a technical training on Solutions for Online Activity Reporting (SOAR) for all staff. A total of 68 supervisors were trained statewide in 12 sessions from August 22-October 3, 2005.
- Visitation to Promote Permanency and Stability began on September 19, 2005. There were a total of 18 classes, 10 in Las Vegas, 4 in Reno and 4 in the Rural Region (2-Carson, Fallon, Elko). By the end of the last class on November 29, 2005, 388 workers had attended.
- Permanency Service Delivery (two-day), which includes a module on Adoption of Older Youth (developed by the Adoption Exchange) and Termination of Parental Rights (TPR), began instruction on January 26, 2006 and ended on April 4, 2006. In all, approximately 300 workers have attended the 19 classes offered, ten in Las Vegas, five in Reno, and four in the Rural Region (Carson City Fallon, Elko).
- Relinquishment and Adoption Subsidy Protocol (RASP/half-day) began on May 3,, 2006. A total of 15 sessions will be offered statewide, ending on June 26, 2006.

An eighth course, titled Documentation Protocol is scheduled to be delivered in all regions during August and September 2006.

In August and November, respectively, Instructional Memos were distributed to staff of all three public child welfare agencies regarding the use of the SAFE home study instrument and foster parent notification of court hearings. In addition, Web-based trainings are currently being offered. Training on the Diligent Search Process and the new Social Summary Policy and forms were made available on the web starting March 1, and an Independent Living module debuted on April 3, 2006.

All of the PIP training classes involve training of entire units of child welfare workers along with their supervisors. PIP courses each include discussions on supervisor effectiveness and how they direct and support changes in staff practice. Additionally, supplementary supervisory training will be provided through seminars, onsite coaching and web-based and/or face-to-face training.

In addition to the PIP trainings, two Ethics courses were offered in January. Each class was video conferenced to three additional sites from Las Vegas. A total of 63 participants in Las Vegas, Reno, Carson City, Fallon, Elko and Pahrump earned CEU's for licensure.

Make-up classes for all PIP courses are being scheduled during June, July and August 2006. This will accommodate workers who missed classes and supplement the pre-service Academy for new workers hired during the PIP Training cycle.

## Supervisory Training

The Nevada Partnership for Training worked closely to coordinate and implement the Child Welfare Supervisory Summit on April 13, 2005. The purpose of the summit was to provide basic training for managers and supervisors attending this statewide event. Susan Kelly from the Center for the Study of Social Policy was the guest trainer. The agenda included the following topics:

- Introduction: The Pip & You- Supervisory Roles
- An Overview Of The System Of Care Principles & The Relationship To The Pip
- The Supervisor's Role- Reinforcement of the Importance of the Family Point Of View, "Whose Plan Is This Anyway?"
- Overview And Implementation Of The Supervisory Review Instrument And Its Relationship To The Pip
- Supervisory Mentoring And Use Of The Supervisory Review Instrument
- Pip Training Schedule And Overview Of The Web Registration Tools For Supervisors And Managers
- Supervising The Child And Family Team, And Its Relationship To The Pip
- Building A Supervisory Skill Set That Is Strength Based, Includes The Family Point Of View And Outcome Focused
- Supervisory Needs Assessment
- Introduction To Soar Reports As A Management Tool

A Nevada expert was identified and contracted to provide one-on-one training, coaching and mentoring of supervisors statewide. As of March 31, 2006, he has met with each supervisor multiple times and modeled facilitation of Child and Family Team meetings with every supervisory unit in the state.

Additionally, a consultant has been contracted to conduct assessments/surveys of supervisors and caseworkers in the Rural Region of DCFS to determine specific training needs. The results of this assessment have been compiled and meetings are occurring with agency managers and stakeholders to review the results, determine priorities and develop specific curricula for training modules.

It is intended for this to be a model for implementation of continuous, on-going statewide supervisory training that will build solid management skills, enhancing the capacity of supervisors to realize quality performance from caseworkers, develop an effective work team and recruit and retain quality staff. University staff, from the Nevada Partnership for Training, will meet with the consultant to use the model for statewide assessment and planning. The resultant training will then be integrated into the pre-service Academy and periodic in-service for both new and experienced supervisors (PIP 33.2)

## Academy

The Academy provides the initial (pre-service) training of all child welfare workers.

Over 113 workers have attended since the beginning of the current Academy in July 2003. Based on continuous feedback, the Academy continues to be revised and updated in order to better meet the needs of the students.

At the request of the Division, UNLV completed an independent evaluation of the academy based on a variety of data provided by UNR and focus groups. Evaluation findings were included in the last annual report.

The University Partnership and the Division have been meeting to review the evaluation results and strategize on improvement objectives. At a meeting on April 14, 2006, a workgroup was formed to address the integration of PIP training into the Academy curriculum. DCFS is also consulting with the University of California, Berkeley (CalSWEC), to enlist their collaboration with the University Partnership to enhance Nevada's pre-service Academy. Additional workgroups were formed and action plans developed to explore the feasibility of a waiver/test out process for new workers who may not be in need of every Academy course and analyze the Academy curriculum for elements which may be appropriate for integration into existing BSW and MSW programs.

Members of the University Partnership have been appointed to the statewide Quality Improvement Steering Committee and will function as reviewers in the next round of case reviews. This will serve to complete the "feedback loop," and connect future training needs to outcomes measured in the case reviews.

The Academy will integrate the above referenced PIP training courses with its basic core courses. A committee has been formed to develop a system enabling new employees hired during the PIP training cycle to receive basic Academy instruction concurrently. After reviewing the content of the Academy, the committee developed the following grid that identifies Academy content areas, the current PIP curriculum where some content is now covered, and the areas that would need to be supplemented by a Temporary Academy for New Workers.

<b>Foundation Content</b>	<b>PIP Curriculum</b>	<b>Temporary Academy</b>
Mission of child welfare: Values, laws, system	Although this is somewhat covered in all PIP training, there is no overview of the purpose of child welfare, the laws, and the system in NV.	X
Teaming	This is introduced in Case Management and reinforced in every PIP training. Includes discussion of teams in conducting assessments, case planning, and visitation.	



<b>Foundation Content</b>	<b>PIP Curriculum</b>	<b>Temporary Academy</b>
Interpersonal skills building: joining, engaging, motivating	These skills (such as strengths-based approaches, questions, and assessment tools) are introduced in Conducting Risk Assessment and Collaborative Case Management, and then reinforced in every other PIP training.	
Effects of Abuse and Neglect on Children	Some of this is reviewed in the Visitation to Promote Placement Stability and Permanency curriculum, as placement affects different developmental stages of children.	X Overview as it relates to assessment and services. Also need to identify behavioral and emotional indicators of abuse and neglect.
Separation and Placement	Grief and loss is discussed in Visitation to Promote Placement Stability and Permanency as relates to child development.	X Additional overview of good placement practice
Risk factors of substance abuse, domestic violence, and mental illness	This is covered in Conducting Risk Assessment and Collaborative Case Management.	X Additional overview, particularly the nature of substance abuse and chronic relapse.
Safety and Risk Assessment	Covered in Conducting Risk Assessment and Intake Response and Decision Making.	
Basic visual and medical identification of abuse and neglect		X
Case Planning, including case plan content and concurrent planning	Covered in Collaborative Case Planning	
Documentation	Will be covered in last PIP training, Aug-Sept.	

Foundation Content	PIP Curriculum	Temporary Academy
Legal Process	Court preparation and testifying, including TPR and Permanency hearings are covered in Permanency Services Delivery.	
Overview of all legal hearings (what are they, when and why) and the purpose of court oversight		X Includes social worker role in court and the need to notify foster parents to attend for the opportunity to be heard.
Culture and Diversity	Although there are cultural exercises and applications in all PIP trainings, there is no foundation overview of culture	X
The role of foster parents	This is covered directly in Visitation to Promote Placement Stability and Permanency, and is especially powerful with a foster parent guest speaker.	
Ethics and Child Welfare (review of NASW ethics)	Although this is the foundation of the practice model and skills in all PIP trainings, there is no explicit discussion of ethics, especially as relate to client relationship, confidentiality, and boundaries.	X Ethics training which has already been developed and implemented as ongoing in-service training.
Worker "Self" skills: time management, field safety, avoiding burnout		X Including safety related to going into houses containing methamphetamine labs

New workers hired during the first PIP training cycle will have attended the above referenced Temporary Academy workshops in June 2006. In the weeks immediately following, make-up sessions of all the previously implemented PIP trainings will be offered to these new workers, as well as, any employees who were unable to attend their assigned classes.

#### Advanced and Specialized Staff Training

Required classes, covering topics such as; "Culture and Diversity," the Indian Child Welfare Act (ICWA), and the Inter-Ethnic Placement Act (MEPA/IEPA) are offered statewide on an annual basis. UNLV has developed and implemented an evaluation system that identifies strengths, as well as areas in need of improvement to maximize the training experience. Additional advanced training will be identified based on the evaluation of PIP training effectiveness; from Quality Improvement data and other identified needs.

Clark County Department of Family Services (CCDFS) is implementing a Systems of Care Grant by providing intensive training to the supervisors and key staff on Solution Oriented Interventions.

CCDFS provided training on Systems of Care Principles. The 307 attendees consisted of child welfare staff, family members, foster parents and community partners. The goals for the two-day training were:

- To provide an introduction to the System of Care Principles;
- Increase skills for strengths based, solution focused work;
- Increase skills for information gathering in a solution oriented method;
- Develop skills to implement Child and Family Teams.

In October 2005, the CCDFS Caring Communities Project, in collaboration with the UNLV School of Social Work, conducted a comprehensive survey to assess the agency's level of cultural competency. Agency administrators, leaders and supervisors, staff, community agency members, foster families, and families receiving services were asked their perspective on cultural competency indicators using the Child Welfare Culture and Diversity Assessment instrument. Results from this survey are being analyzed to determine areas of need for future staff training.

### UNITY System

Nevada's Statewide Automated Child Welfare Information System (SACWIS) is referred to as UNITY (Unified Nevada Information Technology for Youth). DCFS Information Management System (IMS) trainers of UNITY have trained the staff of all three public child welfare agencies in Nevada. The North, Rural and Southern Regions have had access to over 401 Study Halls (enhanced training).

Training modules:

Introduction	Adoptions
Super Course	Juvenile Services
CPS Intake/Investigations	Fiscal Licensing
Substitute Care	Eligibility
	Refresher

### Educational Stipend Program

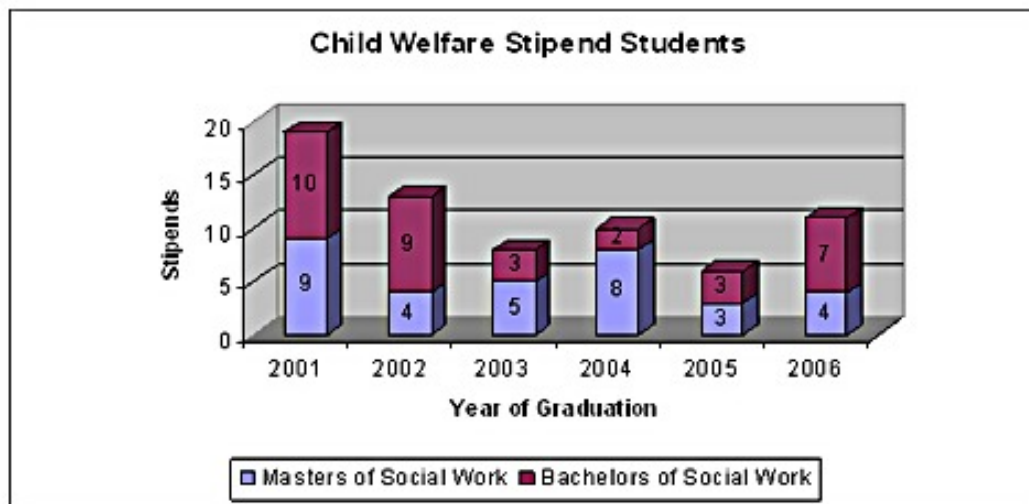
The Educational Stipend Programs at UNR and UNLV are used to encourage bachelors degree level and masters degree level social work students to go into the Child Welfare field. In Nevada, there is an additional need to recruit and retain qualified professionals willing to work in areas that are considered "hard to recruit".

Criteria considered in awarding targeted stipends are:

1. Candidates willing to work in rural offices;
2. Professional candidates that are Bi-lingual;
3. Attracting new workers to the field; and
4. Enhancement of current workers skill levels

The stipend program is in the process of being refined to better serve all public child welfare agencies in Nevada.

**CHART 14. Child Welfare Stipend Students**



The chart above illustrates the number of BSW and MSW stipends awarded 2001-2006. Overall, a total of 34 BSW and 33 MSW stipends were awarded.

Since its inception in 2001, UNLV has had 33 students in the stipend program.

UNR began awarding stipends in 1996 and has awarded stipends to a total of 43 recipients. This includes 18 BSW and 25 MSW awards. Of these, 13 were employed by a child welfare agency at the time of the award and 30 were students new to the field of child welfare and 18 of the previous stipend students remain employed by the child welfare agency after fulfillment of their commitment.

#### University Training Contract

The implementation of the UNR and UNLV contracts requires very close collaboration between the members of the Nevada Partnership for Training. The new UNR and UNLV contract (State Fiscal Year 2005-2007) is performance based with the following goals and objectives:

**Curriculum Development** - The universities are working closely with the policy teams to identify appropriate existing curricula, which can be modified to meet Nevada's training needs.

**Preparing For Training** - Both universities have arranged for consistent classrooms on campus, in Reno and Las Vegas. State Personnel and agency sites are used in Carson City, Fallon and Elko.

**Training Evaluation** - UNLV conducted an evaluation of the Training Academy, which will be reviewed by the Nevada Partnership for Training. The new contract implements a comprehensive model for assessing the impact of training on the Child and Family Services Review (CFSR) Outcome Measures by using levels of assessment (Level 1: Reaction, Level 2: Learning, Level 3: Worker Performance & Level 4: Training Impact).

The evaluation process includes pre-testing, post-testing and post training satisfaction evaluations. The activities and recommendations are closely linked with quality improvement activities.

Stipend Program - the policy is being revised to further enhance recruitment of students to the program; building a potential workforce for Clark County, Washoe County and DCFS.

Student Practicum - UNR and UNLV have field practicum programs that provide experience for potential child welfare staff.

Web Registration - Colorado's Child Welfare Training Registration System has been enhanced to support Nevada Child Welfare agencies registration needs. Over 590 people have used the Nevada Partnership for Training web-based registration system. Seven PIP training courses have been offered in five locations; Las Vegas, Reno, Carson City, Fallon and Elko. All seven of the PIP courses were completed by June 30, 2006. The system is able to generate registration and attendance reports by agency, region and on a statewide basis.

Training Needs Assessment - the Nevada Partnership for Training and the three public child welfare agencies participated in developing the training plan by using the Statewide Self Assessment, the CFSR findings and other internal information. As a result, the PIP training has been clustered into meaningful courses.

Develop Child Welfare Certificate Programs - UNLV is exploring the creation of three for-credit university certificate programs:

- New licensed social workers-basic core courses, certificate of completion
- New non-licensed staff- basic core courses, certificate of completion
- Experienced masters level social workers Advanced or Leadership series certificate of completion

Develop Credit for Learning Courses—the Nevada Partnership for Training members is exploring the possibility of offering elective university credit for child welfare required courses.

Research—the Nevada Partnership for Training and the public child welfare agencies are collaborating on a research agenda that promotes “best in practice.”

## Resource Family Training

For additional information, please refer to Section III, B. 3. Foster Care Licensing, Recruitment, and Training (PIP 9.5)

Each of the Resource Family training programs provides the following services:

Foster Parent Associations, agency sponsored events, web-based training, resource family orientation and pre-service training to all potential resource families. The training addresses issues related to abuse and neglect, the importance of relationships, the effects of care giving and permanency issues.

Resource Families Ongoing Training topics will be identified by the PIP, feedback from the Resource Families and child welfare workers. The ongoing training may be accessed through the University Partnership, agency staff, local foster parent associations, audio conference training and videos/books.

The Rural region recruitment and training staff provides direct services to communities in close proximity to Carson City and Fallon, while supervising a contract that provides services to the Elko/Ely area. The Rural Region is also responsible for Pahrump.

#### Washoe County Department of Social Services Resource Family Training Program

In terms of advanced training, Sierra Association of Foster Families (SAFF) provides training on the following topics to Washoe County Department of Social Services resource families:

- Working with your School Counselor
- Life Book Workshop
- The Role of the Foster Parent in the Case Plan
- Communicating with the Court
- Inclusion/Therapeutic Recreation
- Reactive Attachment Disorder Part I
- Reactive Attachment Disorder Part II
- Independent Living Program
- Surviving Allegations
- WCDSS Alternative Care Policy
- Ask the Psychologist

The Resource Family Trainers from Washoe County Department of Social Services also coordinate the following specialized trainings:

- Dealing with Sexually Acting Out Behaviors in Foster Care
- Susan Doctor...F.A.S.
- Reading the Language of the Baby
- Power of Positive Parenting
- Fetal Alcohol Syndrome
- What's a Parent To Do?

## **APPENDIX E**

### **ICWA**

The following information summarizes the Division's activities related to ICWA for SFY 2006.

#### **TRIBAL CONSULTATION**

The State of Nevada Division of Child and Family Services consulted with the 27 Nevada federally-recognized tribes and organizations (Section 422(b)(11), Social Security Act, as amended) through the Indian Child Welfare Steering Committee. The Indian Child Welfare Steering Committee invited Tribal Chairs or their designees, to participate on the committee for the purpose of discussing Indian child welfare issues in Nevada that relate to jurisdiction, investigation, and service delivery. Members of the Indian Child Welfare Steering Committee include: representatives from the Intertribal Council of Nevada (ITCN), Nevada Tribes; Bureau of Indian Affairs; Nevada Urban Indians, Inc., Las Vegas Indian Center; Nevada Indian Commission; Nevada Children's Justice Act – Technical Assistance to Local Communities and Indian Tribes Subcommittee; DCFS site offices, Clark County Department of Family Services and Washoe County Department of Social Services; the UNR Partnership for Training, and other interested parties.

The Committee decided that a symposium was the best forum for discussion and planning. The symposium provides an opportunity to share information about programs and activities between the tribes and the State and counties, and to identify areas that need review for continued compliance with ICWA.

The 2006 symposium was first discussed in November 2005 and the first meeting was convened with tribal representatives in March 2006. The symposium was set for June 13 through 15th, 2006 with a section of the agenda devoted to discussion of the Indian child welfare and next steps. The symposium was attended by the following statewide representatives: Tribal Chairs; designated Tribal Human Services Program Directors and Specialists and staff from more than ½ of the Tribes; Intertribal Council of Nevada; the Bureau of Indian Affairs - Western, Eastern, and Phoenix Regional office; tribal court; Nevada Indian Commission; Washoe Tribal Behavioral Health Center; Washoe Tribe TANF; ITCN Head Start; Fallon Paiute Shoshone Tribe – Children's Justice Act Program; Las Vegas Indian Center and Nevada Urban Indians, Inc. (Urban Indian Programs); the Nevada Division of Child and Family Services, Clark County Department of Family Services, and Washoe County Department of Social Services; Nevada Administration of the Courts and Court Improvement Project. Informational materials for the symposium were provided by Washoe Tribe TANF, Maple Star Foster Parent Recruitment, Children's Cabinet of Reno, First Health – Nevada Medicaid, Stepping Stones Fallon Tribe Independent Living Program, the Nevada Partnership for Training, and Nevada Suicide Prevention Program. (See ICWA appendix for symposium agenda topics).

The symposium discussion generated a list of areas for the Steering Committee to review with child welfare agencies for the upcoming year.

The symposium reviewed and approved the Inter-jurisdictional matrix without any change.

The following are specific measures taken by the State to improve or maintain compliance with the Indian Child Welfare Act (ICWA):

1. Identification of Indian children by the State Child Welfare service agency

Identification of Indian children is required by Nevada Revised Statute 432B.397 and Nevada Administrative Code 432B.263, which state as follows:

NRS 432B.397 Inquiry to determine whether child is Indian child; report to court; training regarding requirements of Indian Child Welfare Act.

“1. The agency which provides child welfare services for a child that is taken into custody pursuant to this chapter shall make all necessary inquiries to determine whether the child is an Indian child. The agency shall report that determination to the court.

2. An agency which provides child welfare services pursuant to this chapter shall provide training for its personnel regarding the requirements of the Indian Child Welfare Act.

NAC 432B.263 Inquiry to determine whether child is Indian child; recording of information provided; verification of inquiries. (NRS 432B.190, 432B.397)

1. For the purposes of complying with the provisions of NRS 432B.397, the agency which provides child welfare services shall, upon taking a child into protective custody, ask a parent, legal guardian or relative of the child, if available, whether the child is an Indian child.

2. If the parent, legal guardian or relative of the child indicates that the child is or may be an Indian child, the agency shall ask the person to provide the following information:

(a) The name and location of the tribe to which the child belongs;

(b) The enrollment number of the child, if the tribe to which the child belongs has assigned such a number;

(c) Whether the child has resided or been domiciled on a reservation or has been a ward of a tribal court;

(d) The name, including the maiden name, if any, and the enrollment number of each Indian relative of the child, including, but not limited to, the parents and grandparents of the child;

(e) The enrollment number of each Indian relative of the child, including, but not limited to, the parents and grandparents of the child, if the tribe to which the relative belongs has assigned such a number; and

(f) If the child is an Alaskan native, the name of the child's village or regional corporation.

3. The agency shall record, in writing, the information provided by a parent, legal guardian or relative pursuant to this section.

4. The agency shall provide the court with verification that the inquiries set forth in subsections 1 and 2, as applicable, were made for each child for whom a petition has been filed.

5. As used in this section, “Indian child” has the meaning ascribed to it in NRS 432B.067.”

The State's UNITY system collects the required information regarding Indian children and DCFS is able to identify Native American Indian Children. DCFS has a special quarterly Detail Report CFS 777 that collects data on the number of children statewide, by region and by individual child welfare agency.



## 2. Notification of Indian parents and Tribes of State proceedings involving Indian children and their right to intervene

Notification of Indian parents and Tribes of State proceedings and their right to intervene are contained in the Nevada Revised Statutes 432B.425 as follows:

NRS 432B.425 Notification of tribe if proceedings involve Indian child; transfer of proceedings to Indian child's tribe; exercise of jurisdiction by court. "If proceedings pursuant to this chapter involve the protection of an Indian child, the court shall:

1. Cause the Indian child's tribe to be notified in writing at the beginning of the proceedings in the manner provided in the Indian Child Welfare Act. If the Indian child is eligible for membership in more than one tribe, each tribe must be notified.
2. Transfer the proceedings to the Indian child's tribe in accordance with the Indian Child Welfare Act.
3. If a tribe declines or is unable to exercise jurisdiction, exercise its jurisdiction as provided in the Indian Child Welfare Act."

Nevada child welfare agencies use a standardized Tribal Notification form that was developed in accordance with ICWA guidelines. The form and protocol are contained in the Nevada Indian Child Welfare Resource Guide, updated in March 2006. The Resource Guide is a tool for use by State and county child welfare staff.

Information regarding ICWA is also contained in the Parent's Guide to Child Protective Services Booklet, revised April 2006, and in a separate ICWA brochure.

## 3. Special placement preferences for Indian children.

Nevada Revised Statute 432B.455 and .457 allows for special placement preferences for children, including Indian children, as follows.

NRS 432B.455 Determination of appropriate person to take custody of child:

Appointment and duties of special master.

"1. If the court determines that a child must be kept in protective custody pursuant to NRS 432B.480 or must be placed in temporary or permanent custody pursuant to NRS 432B.550, the court may, before placing the child in the temporary or permanent custody of a person, order the appointment of a special master from among the members of the State Bar of Nevada to conduct a hearing to identify the person most qualified and suitable to take custody of the child in consideration of the needs of the child for temporary or permanent placement.

2. Not later than 5 calendar days after the hearing, the special master shall prepare and submit to the court his recommendation regarding which person is most qualified and suitable to take custody of the child."

(Added to NRS by 1997, 1344)

NRS 432B.457 Determination of appropriate person to take custody of child:

Involvement in and notification of person with special interest in child; testimony by person with special interest in child.

"1. If the court or a special master appointed pursuant to NRS 432B.455 finds that a person has a special interest in a child, the court or the special master shall:

- (a) Except for good cause, ensure that the person is involved in and notified of any plan for the temporary or permanent placement of the child and is allowed to offer recommendations regarding the plan; and
- (b) Allow the person to testify at any hearing held pursuant to this chapter to determine any temporary or permanent placement of the child.

2. For the purposes of this section, a person "has a special interest in a child" if:

- (a) The person is:
  - (1) A parent or other relative of the child;
  - (2) A foster parent or other provider of substitute care for the child;
  - (3) A provider of care for the medical or mental health of the child; or
  - (4) A teacher or other school official who works directly with the child; and
- (b) The person:
  - (1) Has a personal interest in the well-being of the child; or
  - (2) Possesses information that is relevant to the determination of the placement of the child."

4. Active efforts to prevent the breakup of the Indian family.

Nevada Revised Statutes 432B.393 requires reasonable efforts to prevent the breakup of families, including Indian families. "Reasonable efforts" are not the same as "active efforts" and defining "active efforts" and related activities has been added to the DCFS policy review/revision list for inclusion in relevant policies.

NRS 432B.393 Preservation and reunification of family of child to prevent or eliminate need for removal from home before placement in foster care and to make safe return to home possible; determining whether reasonable efforts have been made.

"1. Except as otherwise provided in this section, an agency which provides child welfare services shall make reasonable efforts to preserve and reunify the family of a child:

(a) Before the placement of the child in foster care, to prevent or eliminate the need for from his home; and

(b) To make it possible for his safe return to his home.

2. In determining the reasonable efforts required by subsection 1, the health and safety of the child must be the paramount concern. The agency which provides child welfare services may make reasonable efforts to place the child for adoption or with a legal guardian concurrently with making the reasonable efforts required pursuant to subsection 1. If the court determines that continuation of the reasonable efforts required by subsection 1 is inconsistent with the plan for the permanent placement of the child, the agency which provides child welfare services shall make reasonable efforts to place the child in a timely manner in accordance with that plan and to complete whatever actions are necessary to finalize the permanent placement of the child.

3. An agency which provides child welfare services is not required to make the reasonable efforts required by subsection 1 if the court finds that:

(a) A parent or other primary caretaker of the child has:

(1) Committed, aided or abetted in the commission of, or attempted, conspired or solicited to commit murder or voluntary manslaughter;

(2) Caused the abuse or neglect of the child, or of another child of the parent or primary caretaker, which resulted in substantial bodily harm to the abused or neglected child;

(3) Caused the abuse or neglect of the child, a sibling of the child or another child in the household, and the abuse or neglect was so extreme or repetitious as to indicate that any plan to return the child to his home would result in an unacceptable risk to the health or welfare of the child; or

(4) Abandoned the child for 60 or more days, and the identity of the parent of the child is unknown and cannot be ascertained through reasonable efforts;

(b) A parent of the child has, for the previous 6 months, had the ability to contact or communicate with the child and made no more than token efforts to do so;

(c) The parental rights of a parent to a sibling of the child have been terminated by a court order upon any basis other than the execution of a voluntary relinquishment of those rights by a natural parent, and the court order is not currently being appealed;

(d) The child or a sibling of the child was previously removed from his home, adjudicated to have been abused or neglected, returned to his home and subsequently removed from his home as a result of additional abuse or neglect; or

(e) The child is less than 1 year of age, the father of the child is not married to the mother of the child and the father of the child:

(1) Has failed within 60 days after learning of the birth of the child, to visit the child, to commence proceedings to establish his paternity of the child or to provide financial support for the child; or

(2) Is entitled to seek custody of the child but fails to do so within 60 days after learning that the child was placed in foster care.

(f) The child was delivered to a provider of emergency services pursuant to NRS 432B.630.

4. Except as otherwise provided in subsection 6, for the purposes of this section, unless the context otherwise requires, "reasonable efforts" have been made if an agency which provides child welfare services to children with legal custody of a child has exercised diligence and care in arranging appropriate and available services for the child, with the health and safety of the child as its paramount concerns. The exercise of such diligence and care includes, without limitation, obtaining necessary and appropriate information concerning the child for the purposes of NRS 127.152, 127.410 and 424.038.

5. In determining whether reasonable efforts have been made pursuant to subsection 4, the court shall:

(a) Evaluate the evidence and make findings based on whether a reasonable person would conclude that reasonable efforts were made;

(b) Consider any input from the child;

(c) Consider the efforts made and the evidence presented since the previous finding of the court concerning reasonable efforts;

d) Consider the diligence and care that the agency is legally authorized and able to exercise;

(e) Recognize and take into consideration the legal obligations of the agency to comply with any applicable laws and regulations;

(f) Base its determination on the circumstances and facts concerning the particular family or plan for the permanent placement of the child at issue;

(g) Consider whether the provisions of subsection 6 are applicable; and

h) Consider any other matters the court deems relevant.

6. An agency which provides child welfare services may satisfy the requirement of making reasonable efforts pursuant to this section by taking no action concerning a child or making no effort to provide services to a child if it is reasonable, under the circumstances, to do so."

## 5. Use of Tribal courts in child welfare matter, Tribal right to intervene in State proceedings or transfer proceedings to the jurisdiction of the Tribe.

Nevada Revised Statutes 432B.425 (see citation in item 2 above) allow tribal courts to intervene in State proceedings and allow transfer proceedings to the jurisdiction of the tribe. Adoption statutes that contain information about courts and transfer of proceedings include NRS 127.110 (When petition may be filed; limitation on entry of adoption order), NRS 127.013 (Transfer of Proceedings to Indian tribe), NRS 127.052 (Agency to determine whether child is Indian, notification of child's tribe), and NRS 127.017 (Extent to which court must give full faith and credit to judicial proceedings of Indian tribe).

## Laws, policies and/or trainings for the implementation of ICWA.

### Laws, policies:

Nevada Revised Statutes include the Indian Child Welfare Act provisions. The following specific Child Protection Statutes contain reference to Indian children (See copy of statutes in ICWA Appendix xxx):

NRS 432B.067 (Indian child); NRS 432B.068 (ICWA defined); NRS 432B.190 (Regulations adopted by State); NRS 432B.410 (Exclusive original jurisdiction); NRS 432B.420 (Right of parent or other responsible person to representation by attorney; authority of court to appoint attorney to represent child; authority and rights of child's attorney; compensation of attorney; appointment of attorney as guardian ad litem); NRS 432B.425 (Notification of tribe if proceedings involve Indian child; transfer of proceedings to Indian child's tribe; exercise of jurisdiction by court); NRS 432B.451 (Qualified expert witness required in proceeding to place Indian child in foster care); NRS 432B.465 (Full faith and credit to judicial proceedings of Indian tribe); NAC 432B.090 (General requirements for staff. (NRS 432B.190)); NAC 432B.263 (Inquiry to determine whether child is Indian child; recording of information provided; verification of inquiries. (NRS 432B.190, 432B.397)).

The following specific Adoption Statutes contain reference to Indian children:

Adoption statutes that contain information about courts and transfer of proceedings include NRS 127.110 (When petition may be filed; limitation on entry of adoption order), NRS 127.013 (Transfer of Proceedings to Indian tribe), NRS 127.052 (Agency to determine whether child is Indian, notification of child's tribe), and NRS 127.017 (Extent to which court must give full faith and credit to judicial proceedings of Indian tribe).

ICWA policy outlines the process and is contained in the foster care manual.

Training:

Nevada Revised Statutes 432B.397 require the child welfare agency to provide training on ICWA.

Specialized ICWA training was provided to NTP trainers as a separate training in 2005 and April 2006. ICWA was not provided as a separate training to child welfare staff in 2005, but was minimally included in the relevant PIP training. ICWA will be scheduled as a regular training for the fall of 2006.

Description of the understanding, gathered from State consultation with the tribes, as to who is responsible for providing the protections delineated at Section 433(b)(10) of the Act, whether they are in State or Tribal custody.

The ICWA Jurisdictional Matrix was created by the Indian Child Welfare Steering Committee in 2002 and reviewed and re-approved at the Tribal Symposium on June 15, 2006. It provides the best guideline for jurisdictional responsibility in Nevada. (See copy attached in ICWA Appendix xxx?)

Chafee Requirements for Tribes

Consultation with State's federally-recognized tribes: Chafee Foster Care Independence Program (CFCIP) [Section 477(b)(3)(G), Social Security Act, as amended]

State's efforts to ensure CFCIP benefits and services are available to Indian Children [Section 477(b)(3)(G), Social Security Act, as amended]

*Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC)*

**NRS 432B** – Child Protection Statutes

**NRS 127** – Adoption Statutes

Select chapters and sections are referenced as follows:

**NRS 432B.067** “Indian child” defined. “Indian child” has the meaning ascribed to it in 25 U.S.C. § 1903.

(Added to NRS by 1995, 786)

**NRS 432B.068** “Indian Child Welfare Act” defined. “Indian Child Welfare Act” means the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901 et seq.).

(Added to NRS by 1995, 786)

Determination if child is an Indian child and inquiry for tribal eligibility

- NRS 432B.190
- NRS 432B.397
- NAC 432B.263

**NRS 432B.190** Regulations to be adopted by Division of Child and Family Services. [Effective through June 30, 2006.] The Division of Child and Family Services shall, in consultation with each agency which provides child welfare services, adopt:

1. Regulations establishing reasonable and uniform standards for:

(a) Child welfare services provided in this State;

(b) Programs for the prevention of abuse or neglect of a child and the achievement of the permanent placement of a child;

(c) The development of local councils involving public and private organizations;

(d) Reports of abuse or neglect, records of these reports and the response to these reports;

(e) Carrying out the provisions of [NRS 432B.260](#), including, without limitation, the qualifications of persons with whom agencies which provide child welfare services enter into agreements to provide services to children and families;

(f) The management and assessment of reported cases of abuse or neglect;

(g) The protection of the legal rights of parents and children;

(h) Emergency shelter for a child;

(i) The prevention, identification and correction of abuse or neglect of a child in residential institutions;

(j) Evaluating the development and contents of a plan submitted for approval pursuant to [NRS 432B.395](#);

(k) Developing and distributing to persons who are responsible for a child's welfare a pamphlet that sets forth the procedures for taking a child for placement in protective custody and the legal rights of persons who are parties to a proceeding held pursuant to [NRS 432B.410](#) to [432B.590](#), inclusive, during all stages of the proceeding; and

(l) Making the necessary inquiries required pursuant to [NRS 432B.397](#) to determine whether a child is an Indian child; and

2. Such other regulations as are necessary for the administration of [NRS 432B.010](#) to [432B.606](#), inclusive.

(Added to NRS by 1985, 1370; A 1987, 1439; 1991, 922; 1993, 2706; 1995, 787; 1997, 2471; [2001, 1700, 1839, 1850; 2001 Special Session, 36; 2003, 236, 251, 650](#))

**NRS 432B.190** Regulations to be adopted by Division of Child and Family Services. [Effective July 1, 2006.] The Division of Child and Family Services shall, in consultation with each agency which provides child welfare services, adopt:

1. Regulations establishing reasonable and uniform standards for:

- (a) Child welfare services provided in this State;
- (b) Programs for the prevention of abuse or neglect of a child and the achievement of the permanent placement of a child;
- (c) The development of local councils involving public and private organizations;
- (d) Reports of abuse or neglect, records of these reports and the response to these reports;
- (e) Carrying out the provisions of [NRS 432B.260](#), including, without limitation, the qualifications of persons with whom agencies which provide child welfare services enter into agreements to provide services to children and families;
- (f) The management and assessment of reported cases of abuse or neglect;
- (g) The protection of the legal rights of parents and children;
- (h) Emergency shelter for a child;
- (i) The prevention, identification and correction of abuse or neglect of a child in residential institutions;
- (j) Evaluating the development and contents of a plan submitted for approval pursuant to [NRS 432B.395](#);
- (k) Developing and distributing to persons who are responsible for a child's welfare a pamphlet that is written in language which is easy to understand, is available in English and in any other language the Division determines is appropriate based on the demographic characteristics of this State and sets forth:

- (1) Contact information regarding persons and governmental entities which provide assistance to persons who are responsible for the welfare of children, including, without limitation, persons and entities which provide assistance to persons who are being investigated for allegedly abusing or neglecting a child;

- (2) The procedures for taking a child for placement in protective custody; and

- (3) The state and federal legal rights of:

- (I) A person who is responsible for a child's welfare and who is the subject of an investigation of alleged abuse or neglect of a child, including, without limitation, the legal rights of such a person at the time an agency which provides child welfare services makes initial contact with the person in the course of the investigation and at the time the agency takes the child for placement in protective custody, and the legal right of such a person to be informed of any allegation of abuse or neglect of a child which is made against the person at the initial time of contact with the person by the agency; and

- (II) Persons who are parties to a proceeding held pursuant to [NRS 432B.410](#) to [432B.590](#), inclusive, during all stages of the proceeding; and

- (I) Making the necessary inquiries required pursuant to [NRS 432B.397](#) to determine whether a child is an Indian child; and

2. Such other regulations as are necessary for the administration of [NRS 432B.010](#) to [432B.606](#), inclusive.

(Added to NRS by 1985, 1370; A 1987, 1439; 1991, 922; 1993, 2706; 1995, 787; 1997, 2471; [2001, 1700, 1839, 1850; 2001 Special Session, 36; 2003, 236, 251, 650; 2005, 2094](#), effective July 1, 2006)

**NRS 432B.397** Inquiry to determine whether child is Indian child; report to court; training regarding requirements of Indian Child Welfare Act.

1. The agency which provides child welfare services for a child that is taken into custody pursuant to this chapter shall make all necessary inquiries to determine whether the child is an Indian child. The agency shall report that determination to the court.

2. An agency which provides child welfare services pursuant to this chapter shall provide training for its personnel regarding the requirements of the Indian Child Welfare Act.

(Added to NRS by 1995, 786; A 2001 Special Session, 46)

**NAC 432B.263** Inquiry to determine whether child is Indian child; recording of information provided; verification of inquiries. (NRS 432B.190, 432B.397)

1. For the purposes of complying with the provisions of NRS 432B.397, the agency which provides child welfare services shall, upon taking a child into protective custody, ask a parent, legal guardian or relative of the child, if available, whether the child is an Indian child.

2. If the parent, legal guardian or relative of the child indicates that the child is or may be an Indian child, the agency shall ask the person to provide the following information:

(a) The name and location of the tribe to which the child belongs;

(b) The enrollment number of the child, if the tribe to which the child belongs has assigned such a number;

(c) Whether the child has resided or been domiciled on a reservation or has been a ward of a tribal court;

(d) The name, including the maiden name, if any, and the enrollment number of each Indian relative of the child, including, but not limited to, the parents and grandparents of the child;

(e) The enrollment number of each Indian relative of the child, including, but not limited to, the parents and grandparents of the child, if the tribe to which the relative belongs has assigned such a number; and

(f) If the child is an Alaskan native, the name of the child's village or regional corporation.

3. The agency shall record, in writing, the information provided by a parent, legal guardian or relative pursuant to this section.

4. The agency shall provide the court with verification that the inquiries set forth in subsections 1 and 2, as applicable, were made for each child for whom a petition has been filed.

5. As used in this section, "Indian child" has the meaning ascribed to it in NRS 432B.067.

(Added to NAC by Div. of Child & Fam. Services, eff. 7-8-96; A by R045-02, 7-23-2002)

#### Exclusive jurisdiction

- NRS 432B.410
- NRS 432B.425
- NRS 127.110
- NRS 127.013
- NRS 127.052

**NRS 432B.410** Exclusive original jurisdiction; action does not preclude prosecution.

1. Except if the child involved is subject to the jurisdiction of an Indian tribe pursuant to the Indian Child Welfare Act, the court has exclusive original jurisdiction in proceedings concerning any child living or found within the county who is a child in need of protection or may be a child in need of protection.

2. Action taken by the court because of the abuse or neglect of a child does not preclude the prosecution and conviction of any person for violation of NRS 200.508 based on the same facts.

(Added to NRS by 1985, 1379; A 1991, 2186; 1995, 787)

**NRS 432B.425** Notification of tribe if proceedings involve Indian child; transfer of proceedings to Indian child's tribe; exercise of jurisdiction by court. If proceedings pursuant to this chapter involve the protection of an Indian child, the court shall:

1. Cause the Indian child's tribe to be notified in writing at the beginning of the proceedings in the manner provided in the Indian Child Welfare Act. If the Indian child is eligible for membership in more than one tribe, each tribe must be notified.

2. Transfer the proceedings to the Indian child's tribe in accordance with the Indian Child Welfare Act.

3. If a tribe declines or is unable to exercise jurisdiction, exercise its jurisdiction as provided in the Indian Child Welfare Act.

(Added to NRS by 1995, 786; A [2003, 1149](#))

**NRS 127.110** When petition may be filed; contents of petition; limitation on entry of adoption order.

1. A petition for adoption of a child who currently resides in the home of the petitioners may be filed at any time after the child has lived in the home for 30 days.

2. The petition for adoption must state, in substance, the following:

(a) The full name and age of the petitioners and the period the petitioners have resided in the State of Nevada before the filing of the petition.

(b) The age of the child sought to be adopted and the period that the child has lived in the home of petitioners before the filing of the petition.

(c) That it is the desire of the petitioners that the relationship of parent and child be established between them and the child.

(d) Their desire that the name of the child be changed, together with the new name desired.

(e) That the petitioners are fit and proper persons to have the care and custody of the child.

(f) That they are financially able to provide for the child.

(g) That there has been a full compliance with the law in regard to consent to adoption.

(h) That there has been a full compliance with NRS 127.220 to 127.310, inclusive.

(i) Whether the child is known to be an Indian child.

3. No order of adoption may be entered unless there has been full compliance with the provisions of NRS 127.220 to 127.310, inclusive.

[11:332:1953]—(NRS A 1961, 738; 1965, 1320; 1987, 2051; 1995, 781)

**NRS 127.013** Transfer of proceedings to Indian tribe.

1. If proceedings pursuant to this chapter involve the relinquishment of an Indian child who is a ward of a tribal court, resides on a reservation or is domiciled on a reservation, the court shall transfer the proceedings to the Indian child's tribe in accordance with the Indian Child Welfare Act.

2. For the purposes of this section, the domicile of an Indian child must be determined according to Federal common law.

(Added to NRS by 1995, 780)

**NRS 127.052** Agency to determine whether child is Indian child; notification of child's tribe.

1. Each agency which, pursuant to NRS 127.050, accepts a relinquishment for the adoption of a child shall make all necessary inquiries to determine whether the child is an Indian child. If it determines that the child is an Indian child and that the child is a ward of a tribal court, resides on a reservation or is domiciled on a reservation, the agency shall so notify the child's tribe in writing.

2. The division shall adopt regulations establishing reasonable and uniform standards for making the necessary inquiries to determine whether a child is an Indian child.

3. For the purposes of this section, the domicile of an Indian child must be determined according to Federal common law.

(Added to NRS by 1995, 780)

#### Full faith and credit

- NRS 432B.465
- NRS 127.017

**NRS 432B.465** Full faith and credit to judicial proceedings of Indian tribe. Each court in this state which exercises jurisdiction pursuant to this chapter in a case involving an Indian child shall give full faith and credit to the judicial proceedings of an Indian tribe to the same extent that the Indian tribe gives full faith and credit to the judicial proceedings of the courts of this state.

(Added to NRS by 1995, 786)

**NRS 127.017** Extent to which court must give full faith and credit to judicial proceedings of Indian tribe. Each court in this state which exercises jurisdiction pursuant to this chapter in a case involving an Indian child shall give full faith and credit to the judicial proceedings of an Indian tribe to the same



extent that the Indian tribe gives full faith and credit to the judicial proceedings of the courts of this state.

(Added to NRS by 1995, 780)

#### Notice to tribe regarding court proceedings

- NRS 432B.425

**NRS 432B.425** Notification of tribe if proceedings involve Indian child; transfer of proceedings to Indian child's tribe; exercise of jurisdiction by court. If proceedings pursuant to this chapter involve the protection of an Indian child, the court shall:

1. Cause the Indian child's tribe to be notified in writing at the beginning of the proceedings in the manner provided in the Indian Child Welfare Act. If the Indian child is eligible for membership in more than one tribe, each tribe must be notified.

2. Transfer the proceedings to the Indian child's tribe in accordance with the Indian Child Welfare Act.

3. If a tribe declines or is unable to exercise jurisdiction, exercise its jurisdiction as provided in the Indian Child Welfare Act.

(Added to NRS by 1995, 786; A [2003, 1149](#))

#### Appointment of council

- NRS 432B.420

**NRS 432B.420** Right of parent or other responsible person to representation by attorney; authority of court to appoint attorney to represent child; authority and rights of child's attorney; compensation of attorney; appointment of attorney as guardian ad litem.

1. A parent or other person responsible for the welfare of a child who is alleged to have abused or neglected the child may be represented by an attorney at all stages of any proceedings under [NRS 432B.410](#) to [432B.590](#), inclusive. Except as otherwise provided in subsection 2, if the person is indigent, the court may appoint an attorney to represent him. The court may, if it finds it appropriate, appoint an attorney to represent the child. The child may be represented by an attorney at all stages of any proceedings held pursuant to [NRS 432B.410](#) to [432B.590](#), inclusive. If the child is represented by an attorney, the attorney has the same authority and rights as an attorney representing a party to the proceedings.

2. If the court determines that the parent of an Indian child for whom protective custody is sought is indigent, the court:

- (a) Shall appoint an attorney to represent the parent;

- (b) May appoint an attorney to represent the Indian child; and

- (c) May apply to the Secretary of the Interior for the payment of the fees and expenses of such an attorney,

as provided in the Indian Child Welfare Act.

3. Each attorney, other than a public defender, if appointed under the provisions of subsection 1, is entitled to the same compensation and payment for expenses from the county as provided in [NRS 7.125](#) and [7.135](#) for an attorney appointed to represent a person charged with a crime. Except as otherwise provided in [NRS 432B.500](#), an attorney appointed to represent a child may also be appointed as guardian ad litem for the child. He may not receive any compensation for his services as a guardian ad litem.

(Added to NRS by 1985, 1379; A 1987, 1308; 1995, 787; [1999, 2037](#); [2001, 1703](#); [2003, 590](#))

Foster care placement – expert witness testimony

• NRS 432B.451

**NRS 432B.451** Qualified expert witness required in proceeding to place Indian child in foster care.

1. Any proceeding to place an Indian child in foster care pursuant to this chapter must include the testimony of at least one qualified expert witness as provided in the Indian Child Welfare Act.

2. For the purposes of this section, “qualified expert witness” includes, without limitation:

(a) An Indian person who has personal knowledge about the Indian child’s tribe and its customs related to raising a child and the organization of the family; and

(b) A person who has:

(1) Substantial experience and training regarding the customs of Indian tribes related to raising a child; and

(2) Extensive knowledge of the social values and cultural influences of Indian tribes.

(Added to NRS by 1995, 786)

## STATE OF NEVADA OVERVIEW OF JURISDICTIONAL TABLES INDIAN CHILD WELFARE ACT

The jurisdictional tables are aimed at providing guidance for determining which agency has the responsibility to respond to child abuse and neglect when it involves Native American Indian children. The tables do not cover every possible circumstance, but are an attempt to organize information to assist with understanding the complexity of jurisdictional issues involving State/Tribal relations and the Indian Child Welfare Act (I.C.W.A.), (U.S.C. Title 25, Chapter 21). Workers should contact the tribe or the Bureau of Indian Affairs for assistance with making jurisdictional decisions. The safety of the child should always be the foremost consideration regardless of jurisdiction.

Jurisdictional issues stem from tribal sovereignty and the right of self-governance and the tribe's interactions with state and local county government entities. It is important to understand tribal sovereignty and its impact on jurisdictional boundaries. The following excerpt provides a brief description of "tribal sovereignty" taken from the National Council of State Legislators, Environmental Management Series that was prepared for the "State and Tribal Government Working Group" by Jeanette Wolfley and Susan Johnson: "As sovereign governments, Indian nations generally have the power to maintain law and order by (1) enacting laws governing the conduct of people, both Indian and non-Indians within reservation boundaries; (2) establishing enforcement bodies such as tribal police forces and courts to administer justice; (3) excluding non-tribal members from the reservation; and (4) regulating activities on the reservation such as hunting, fishing and gathering, as well as domestic relations of its members, property use, environmental affairs, and commerce and trade within the reservation. Tribes also may have the power to tax activities and commerce on the reservation."

The most important jurisdictional determination for a child welfare agency to make is where the alleged child abuse occurred. Each tribe may have a variation on the application of the law and it is very important to contact the tribe when a report is received that may involve a jurisdictional issue.

A key element of the jurisdictional application of the I.C.W.A. is the establishment of tribal enrollment for the child. Caseworkers must ask if the child is a Native American Indian child and carefully document all efforts made to verify the enrollment status of the child.

The attached tables depict possible scenarios of child abuse and neglect under civil law and do not apply to criminal law. Each scenario is dependent upon who reports the abuse first and to which agency. The tables reflect the application of the I.C.W.A. from the perspective of the State/County child welfare agency. The definitions used in the tables are taken from the Indian Child Welfare Act.

The grid is organized to provide the "who or what" components across the top of the table: Indian child, Non-Indian child; Indian perpetrator, Non-Indian perpetrator; On tribal land/reservation, Off tribal land/reservation; Meets ICWA requirements; Tribal police, State/County law enforcement, Tribal and State/County law enforcement; Tribal court,

State/County court; State/County child welfare agency, Tribal social services agency – child welfare agency.

The side grid sets the scenario by identifying the victim, perpetrator and location of the alleged incident. The second section contains the questions with the response(s) checked under the appropriate column. Questions for each scenario are:

- 1) Does the child meet ICWA requirements?
- 2) Who initiates the investigation?
- 3) Who decides to remove the child?
- 4) Who takes the case to court?
- 5) Which court?
- 6) Who promotes and upholds reunification?
- 7) Who performs in-home services?
- 8) Who locates foster home placement?

## **JURISDICTIONAL SCENARIOS BASED ON FEDERAL & STATE DEFINITIONS**

### **Indian Child Welfare Act (U.S.C. Code Title 25, Chapter 21, Subchapter 1)**

#### **§ 1903. Definitions**

For the purposes of this chapter, except as may be specifically provided otherwise, the term -

- (1) "child custody proceeding" shall mean and include –
  - (i) "foster care placement" which shall mean any action removing an Indian child from its parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator where the parent or Indian custodian cannot have the child returned upon demand, but where parental rights have not been terminated;
  - (ii) "termination of parental rights" which shall mean any action resulting in the termination of the parent-child relationship;
  - (iii) "preadoptive placement" which shall mean the temporary placement of an Indian child in a foster home or institution after the termination of parental rights, but prior to or in lieu of adoptive placement; and
  - (iv) "adoptive placement" which shall mean the permanent placement of an Indian child for adoption, including any action resulting in a final decree of adoption. Such term or terms shall not include a placement based upon an act which, if committed by an adult, would be deemed a crime or upon an award, in a divorce proceeding, of custody to one of the parents.
- (2) "extended family member" shall be as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, shall be a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent;
- (3) "Indian" means any person who is a member of an Indian tribe, or who is an Alaska Native and a member of a Regional Corporation as defined in 1606 of title 43;
- (4) "Indian child" means any unmarried person who is under age eighteen and is either (a) a member of an Indian tribe or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe;
- (5) "Indian child's tribe" means (a) the Indian tribe in which an Indian child is a member or eligible for membership or (b), in the case of an Indian child who is a member of or eligible for membership in more than one tribe, the Indian tribe with which the Indian child has the more significant contacts;
- (6) "Indian custodian" means any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child;
- (7) "Indian organization" means any group, association, partnership, corporation, or other legal entity owned or controlled by Indians, or a majority of whose members are Indians;

(8) "Indian tribe" means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for the services provided to Indians by the Secretary because of their status as Indians, including any Alaska Native village as defined in section 1602(c) of title 43;

(9) "parent" means any biological parent or parents of an Indian child or any Indian person who has lawfully adopted an Indian child, including adoptions under tribal law or custom. It does not include the unwed father where paternity has not been acknowledged or established;

(10) "reservation" means Indian country as defined in section 1151 of title 18 and any lands, not covered under such section, title to which is either held by the United States in trust for the benefit of any Indian tribe or individual or held by any Indian tribe or individual subject to a restriction by the United States against alienation;

(11) "Secretary" means the Secretary of the Interior; and

(12) "tribal court" means a court with jurisdiction over child custody proceedings and which is either a Court of Indian Offenses, a court established and operated under the code or custom of an Indian tribe, or any other administrative body of a tribe which is vested with authority over child custody proceedings.

#### **STATE OF NEVADA DEFINITIONS – Nevada Revised Statutes, Chapter 432B: Protection of Children From Abuse and Neglect**

**NRS 432B.080** "Parent" defined "means a natural or adoptive parent whose parental rights have not been terminated."

**NRS 432B.130** Persons responsible for child's welfare - "A person is responsible for a child's welfare under the provisions of this chapter if he is the child's parent, guardian, a stepparent with whom the child lives, an adult person continually or regularly found in the same household as the child, or a person directly responsible or serving as a volunteer for or employed in a public or private home, institution or facility where the child actually resides or is receiving child care outside of his home for a portion of the day."

## JURISDICTIONAL TABLE 1

**Scenario 1: An Indian child (enrolled member of a tribe) is violated by a non-Indian adult perpetrator on the reservation. The child then leaves the reservation after the incident is reported and investigated.**

Scenario 1: An <u>Indian child</u> (enrolled member of a tribe) is violated by a <u>non-Indian adult perpetrator</u> on the <u>reservation</u> . The child then leaves the reservation after the incident is reported and investigated.	Indian Child	Non-Indian Child	Indian Perpetrator	Non-Indian Perpetrator	On Indian Tribal Land (reservation)	Off Indian Tribal Land	Meets ICWA requirements	Tribal Police	State/County Law enforcement	Tribal Police and State or County law enforcement	Tribal Court	State or County Court	State or County Child Welfare Agency	Tribal Social Services Child Welfare Agency
Victim is:	X													
Perpetrator is the child's parent per the ICWA definition of parent:				X										
Perpetrator is not related to the family or child:														
Location of alleged abuse incident:					X*1									
1) Does the child meet ICWA requirements?							N/A							
2) Who initiates the investigation?								X*2						
3) Who decides to remove the child?								X						X
4) Who takes the case to court?														X
5) Which court?											X			
6) Who promotes and upholds reunification?														X
7) Who performs In-Home Services?														X
8) Who locates foster home placement?														X
Scenario based on accepted ICWA definitions of child, parent (U.S.C. Code Title 25, Chapter 21, Subchapter 1)														
X*1 If the child moves from the reservation after the incident is reported and before services are provided, the tribe would maintain jurisdiction and the tribe would continue to provide services or make arrangements for services to be provided off the reservation. If the child moved to another state, the tribe may provide courtesy information to the Interstate Compact of the Placement of Children (ICPC) although the tribe is not part of the Interstate Compact. The tribe may even request courtesy supervision of the case from a nearby tribe or the other state/county.														
X*2 Tribal police will initiate the investigation and if they determine that the matter is a felony offense, they may refer the case to the FBI or the Bureau of Indian Affairs.														
Each tribe has different law s. Each tribe has different resources available to them. It is important to contact the tribe if there any questions regarding the report.														

## JURISDICTIONAL TABLE 2:

**Scenario 2: An Indian child (enrolled member of a tribe) is violated by an Indian perpetrator and the incident occurs off tribal land and the child does not live on the tribal/reservation land.**

Scenario 2: An <u>Indian child</u> (enrolled member of a tribe) is violated by an <u>Indian perpetrator</u> and the <u>incident occurs off tribal land</u> and the <u>child does not live on the tribal/reservation land</u> .	Indian Child	Non-Indian Child	Indian Perpetrator	Non-Indian Perpetrator	On Indian Tribal Land (reservation)	Off Indian Tribal Land	Meets ICWA requirements	Tribal Police	State/County Law enforcement	Tribal Police and State or County law enforcement together	Tribal Court	State or County Court	State or County Child Welfare Agency	Tribal Social Services Child Welfare Agency
Victim is:	X													
Perpetrator is the child's parent per the ICWA definition of parent:			X											
Perpetrator is not related to the family or child:														
Location of alleged abuse incident:						X								
1) Does the child meet ICWA requirements?							X*1							
2) Who initiates the investigation?									X					
3) Who decides to remove the child?									X				X*2	
4) Who takes the case to court?													X*2	
5) Which court?												X*2		
6) Who promotes and upholds reunification?													X*2	X*2
7) Who performs In-Home Services?													X*2	X*2
8) Who locates foster home placement?													X*2	X*2
Scenario based on accepted ICWA definitions of child, parent (U.S.C. Code Title 25, Chapter 21, Subchapter 1) & NRS 432B, 432B.080, .130														
X*1 The State or county child welfare agency must inquire about whether the child is an Indian child. If the child appears to be an Indian child and meets the ICWA definition of an "Indian child," the child welfare agency will contact the tribe pursuant to law.														
X*2 If the child is identified as an Indian child and meets the enrollment requirements of their tribe, the tribe may intervene. If the tribe intervenes, the case may be transferred to the tribal court. If the case is transferred to the tribal court, it is no longer an ICWA case. Social services and placement may be provided by the tribal social services agency. However, there may be instances when the tribal court may work together with the State or County child welfare agency. There is no set formula for each and every ICWA case because it depends upon the tribe, circumstances and resources.														

### JURISDICTIONAL TABLE 3:

**Scenario 3: An Indian child (enrolled member of a tribe) is violated by an unrelated non-Indian perpetrator, such as a significant other, and the incident occurs on the tribal reservation. The child also lives on the reservation.**

Scenario 3: An <u>Indian child</u> (enrolled member of a tribe) is violated by an <u>unrelated non-Indian perpetrator</u> , such as a <u>significant other</u> , and the <u>incident occurs on the tribal reservation</u> . The child also lives on the reservation.	Indian Child	Non-Indian Child	Indian Perpetrator	Non-Indian Perpetrator	On Indian Tribal Land (reservation)	Off Indian Tribal Land	Meets ICWA requirements	Tribal Police	State/County Law enforcement	Tribal Police and State or county law enforcement together	Tribal Court	State or County Court	State or County Child Welfare Agency	Tribal Social Services - Child Welfare Agency
Victim is:	X													
Perpetrator is the child's parent per the ICWA definition of parent:														
Perpetrator is not related to the family or child:				X										
Location of alleged abuse incident:					X									
1) Does the child meet ICWA requirements?							N/A							
2) Who initiates the investigation?								X*1						
3) Who decides to remove the child?														X
4) Who takes the case to court?														X
5) Which court?											X			
6) Who promotes and upholds reunification?														X
7) Who performs In-Home Services?														X
8) Who locates foster home placement?														X
Scenario based on accepted ICWA definitions of child, parent (U.S.C. Code Title 25, Chapter 21, Subchapter 1)														
X*1 Tribal police will initiate the investigation, but if the crime appears to be a federal offense, the matter may be referred for investigation to the FBI or Bureau of Indian Affairs.														

Nevada ICWA Jurisdictional Tables Reviewed/approved 06/14/06



## JURISDICTIONAL TABLE 4:

**Scenario 4: An Indian child (enrolled member of a tribe) is violated by a non-Indian perpetrator and the incident occurred on the reservation. The Indian child lives on the reservation and the perpetrator lives off the reservation.**

Scenario 4: An <u>Indian child</u> (enrolled member of a tribe) is violated by a <u>non-Indian perpetrator</u> and the incident occurred <u>on the reservation</u> . The Indian child lives on the reservation and the perpetrator lives off the reservation.	Indian Child	Non-Indian Child	Indian Perpetrator	Non-Indian Perpetrator	On Indian Tribal Land (reservation)	Off Indian Tribal Land	Meets ICWA requirements	Tribal Police	State/County Law enforcement	Tribal Police and State or County law enforcement together	Tribal Court	Federal Court	State or County Child Welfare Agency	Tribal Social Services - Child Welfare Agency
Victim is:	X													
Perpetrator is the child's parent per the ICWA definition of parent:														
Perpetrator is not related to the family or child:				X										
Location of alleged abuse incident:					X									
1) Does the child meet ICWA requirements?							N/A							
2) Who initiates the investigation?								X*1		X*1				
3) Who decides to remove the child?														X
4) Who takes the case to court?								X*1		X*1				
5) Which court?												X		
6) Who promotes and upholds reunification?														X
7) Who performs In-Home Services?														X
8) Who locates foster home placement?														X
Scenario based on accepted ICWA definitions of child, parent (U.S.C. Code Title 25, Chapter 21, Subchapter 1)														
X*1 Response is variable by offense and location. Tribal police may initiate the investigation, but request that the local FBI or Bureau of Indian Affairs conduct the investigation. In this scenario, custody may not be an issue since the perpetrator is not related to the child, however, if the incident is a result of neglect or lack of supervision of the child by the parent, the custody decision may be made by tribal social services.														
"Generally, tribes have the inherent right to exercise civil jurisdiction within the geographical area they control. This civil jurisdiction includes the right to govern non-Indians within the bounds of the reservation, although states also have limited civil jurisdiction within Indian country. Criminal jurisdiction on a reservation, however, is a complex issue. Indian law scholar Stephen Pevar has identified four principles governing criminal jurisdiction in Indian country: 1) Tribes have the inherent right to exercise criminal jurisdiction over tribal members; 2) Congress may limit or abolish tribal criminal jurisdiction; 3) Tribes lack criminal jurisdiction over non-Indians unless Congress has expressly "given" tribes that power; 4) A state does not have jurisdiction over crimes committed by tribal members on the reservation unless Congress has expressly granted states that power." Excerpt from NCSL, <u>Environmental Management Series</u> that was prepared for the "State and Tribal Government Working Group" by Jeanette Wolfley and Susan Johnson.														

**Jurisdictional Table 5:**

**Scenario 5: An Indian child (enrolled member of a tribe) is violated by a non-Indian perpetrator and the incident occurred off the reservation. The Indian child lives on the reservation and the perpetrator lives off the reservation.**

Scenario 5: An <u>Indian child</u> (enrolled member of a tribe) is violated by a <u>non-Indian perpetrator</u> and the incident occurred <u>off the reservation</u> .	Indian Child	Non-Indian Child	Indian Perpetrator	Non-Indian Perpetrator	On Indian Tribal Land (reservation)	Off Indian Tribal Land	Meets ICWA requirements	Tribal Police	State/County Law enforcement	Tribal Police and State together	Tribal Court	State or County Court	State or County Child Welfare Agency	Tribal Child Welfare Agency
Victim is:	X													
Perpetrator is the child's parent per the ICWA definition:				X										
Perpetrator is not related to the family or child:														
Location of alleged abuse incident:						X								
1) Does the child meet ICWA requirements?							X*1							
2) Who initiates the investigation?									X					
3) Who decides to remove the child?									X				X*2	
4) Who takes the case to court?									X		X*3		X*2	
5) Which court?												X*2		
6) Who promotes and upholds reunification?													X*2	
7) Who performs In-Home Services?													X*2	
8) Who locates foster home placement?													X*2	
Scenario based on accepted ICWA definitions of child, parent (U.S.C. Code Title 25, Chapter 21, Subchapter 1); NRS 432B														
X*1 The child welfare agency must inquire about whether the child is an Indian child. If the child appears to be an Indian child and meets the ICWA definition of an "Indian child," the child welfare agency will contact the tribe pursuant to law.														
X*2 If the child is identified as an Indian child and meets the enrollment requirements of their tribe, the tribe may intervene. If the tribe intervenes, the case may be transferred to the tribal court. If the case is transferred to the tribal court, it is no longer an ICWA case. Social services and placement may be provided by the tribal social services agency. However, there may be instances when the tribal court may work together with the State or County child welfare agency. There is no set formula for each and every ICWA case because it depends upon the tribe, circumstances and resources.														
X*3 The matter may be referred to a tribal court – depends upon the circumstances of the case.														

### Jurisdictional Table 6:

**Scenario 6: A non-Indian child is violated by an Indian perpetrator and the incident occurred on the reservation. The child lives on the reservation.**

Scenario 6: A <u>non-Indian child</u> is violated by a <u>Indian perpetrator</u> and the incident occurred <u>on the reservation</u> .	Indian Child	Non-Indian Child	Indian Perpetrator	Non-Indian Perpetrator	On Indian Tribal Land (reservation)	Off Indian Tribal Land	Meets ICWA requirements	Tribal Police	State/County Law enforcement	Tribal Police and State together	Tribal Court	State or County Court	State or County Child Welfare Agency	Tribal Child Welfare Agency
Victim is:		X												
Perpetrator is the child's parent per the ICWA definition/NRS 432B:														
Perpetrator is not related to the family or child:			X											
Location of alleged abuse incident:					X									
1) Does the child meet ICWA requirements?							N/A							
2) Who initiates the investigation?								X*1	X*1					
3) Who decides to remove the child?										X*1				
4) Who takes the case to court?														X
5) Which court?											X*1	X*1		
6) Who promotes and upholds reunification?													X	
7) Who performs In-Home Services?													X	
8) Who locates foster home placement?													X	
<p>X*1 Tribal police would initiate the investigation and should refer the case to the local county or State agency. If the child is placed in custody, this may be a joint decision between law enforcement agencies and the State or local child welfare agency. The tribal court may handle the case, but could refer the case to the State or local court. Each situation is different and depends upon the circumstances surrounding the case.</p> <p>It is extremely important to coordinate services between agencies.</p>														

Nevada ICWA Jurisdictional Tables Reviewed/approved 06/14/06

### Jurisdictional Table 7:

**Scenario 7: A non-Indian child is violated by an Indian perpetrator and the incident occurred off of the reservation.**

Scenario 7: A <u>non-Indian child</u> is violated by an <u>Indian perpetrator</u> and the incident occurred <u>off of the reservation</u> .	Indian Child	Non-Indian Child	Indian Perpetrator	Non-Indian Perpetrator	On Indian Tribal Land (reservation)	Off Indian Tribal Land	Meets ICWA requirements	Tribal Police	State/County Law enforcement	Tribal Police and State together	Tribal Court	State or County Court	State or County Child Welfare Agency	Tribal Child Welfare Agency
Victim is:		X												
Perpetrator is the child's parent per NRS 432B:														
Perpetrator is not related to the family or child:			X											
Location of alleged abuse incident:						X								
1) Does the child meet ICWA requirements?							N/A							
2) Who initiates investigation?									X					
3) Who decides to remove the child?									X				X	
4) Who takes the case to court?													X	
5) Which court?												X		
6) Who promotes and upholds reunification?													X	
7) Who performs In-Home Services?													X	
8) Who locates foster home placement?													X	
<b>DEFINITIONS – Nevada Revised Statutes:</b> NRS 432B.080 "Parent" defined "means a natural or adoptive parent whose parental rights have not been terminated. NRS 432B.130 Persons responsible for child's welfare - "A person is responsible for a child's welfare under the provisions of this chapter if he is the child's parent, guardian, a stepparent with whom the child lives, an adult person continually or regularly found in the same household as the child, or a person directly responsible or serving as a volunteer for or employed in a public or private home, institution or facility where the child actually resides or is receiving child care outside of his home for a portion of the day."														

Nevada ICWA Jurisdictional Tables Reviewed/approved 06/14/06

Indian Child Welfare Act of 1978 (ICWA)

## **Indian Child welfare act of 1978 (ICWA)**

**who is covered under the act**

### **Reference**

- P.L. 95-608, Indian Child Welfare Act of 1978
- 25 U.S.C. Chapter 21 §§ 1901-1963
- Title 25 CFR Chapter I, Subchapter D, Part 23
- NRS 432B.397, NRS 432B.410, NRS 432B.420, NRS 432B.425, NRS 432B.451, NRS 432B.465, NRS 127.013, NRS 127.017, NRS 127.052, NAC 127.245, NRS 128.023, NRS 128.027, NRS 128.093

### **Definitions**

Title 25 U.S.C. Chapter 21, § 1903, Definitions

- “Adoptive placement” means the permanent placement of an Indian child for adoption, including any action resulting in a final decree for adoption.
- “Extended family member” shall be defined by the laws and customs of the child’s tribe, or in the absence of such law or custom, shall mean a person aged 18 or older and is the Indian child’s grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin or stepparent.
- “Foster care placement” means any action removing an Indian child from his or her parent(s) or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator where the parent(s) or Indian custodian cannot have the child returned on demand. Parental rights of both parents have not been terminated.
- “Indian custodian” means any person who has legal custody of an Indian child under tribal law or custom or under state law; or to whom temporary physical care has been transferred by the child’s parent.
- “Parent” means the biological parent or parents of an Indian child or any Indian person who has lawfully adopted an Indian child, including adoption under tribal law or custom. The term does not include the unwed father where paternity has not been acknowledged or established.
- “Pre-adoptive placement” means the temporary placement of an Indian child in a foster home or institution after termination of parental rights, but prior to or in lieu of adoptive placement.
- “Termination of parental rights” means any action resulting in the termination of the parent-child relationship.

- “Tribal court” means a court with jurisdiction over child custody proceedings and which is either a Court of Indian Offences, a court established and operated under the code or custom of the Indian tribe or any other administrative body of the tribe, vested with authority over child custody proceedings.
- “Worker” Throughout this document the term “worker” will be used to cover any personnel, social worker, CPS staff, etc. using this manual to address an ICWA situation.

## Indian Child Welfare Act (ICWA)

### A. Policy behind ICWA

Congress declared in passing the Indian Child Welfare Act that the policy of this Nation is to protect the best interests of Indian children and to promote the stability and security of Indian tribes and Indian families by establishing minimum Federal standards to prevent the arbitrary removal of Indian children from their families and tribes and to ensure that measures, which prevent the breakup of Indian families, are followed in child custody proceedings (25 U.S.C. Chapter 21 § 1902).

### B. Child welfare PROCEEDINGS affected by ICWA

The Indian Child Welfare Act affects child custody proceedings to an Indian child, including: Protective Services for Children, Substitute Care, and Adoption Services. DCFS shall make diligent inquiries to determine whether the child is an Indian child and shall report that finding to the State court.

The Act has set up procedures for handling child custody proceedings of an Indian child in State courts, but does not require the same procedures in tribal courts. Child custody proceedings include any emergency shelter care, foster and institutional care, whether the child is removed voluntarily or involuntarily from the parent, termination of parental rights and relinquishment for adoption and other adoption proceedings.

Custody actions between parents, including divorce actions, and juvenile justice delinquency proceedings are excluded from the Act.

### C. IDENTIFICATION of an indian child

The first step in ANY child custody proceeding that may involve an Indian child is determining whether there is an Indian child and with what tribe the child is affiliated. It is up to the tribe to make a determination of eligibility.

IF A CHILD IS NOT AN INDIAN CHILD, ACCORDING TO THE FOLLOWING DEFINITION, THE ICWA PROCEDURES DO NOT APPLY.

## 1. Definition of an Indian Child

An Indian child is:

- a. Any unmarried person who is under the age of 18; and
- b. Is a member of federally recognized Indian tribe or Alaskan native;  
or
- c. Is eligible for membership in an Indian tribe; and is the biological child of a member of an Indian tribe.
- d. It does not matter whether the child lives on or off an Indian reservation or colony.
- e. If a child's only Indian heritage is from a putative father whose paternity has not been acknowledged or established, the child is not considered eligible for membership in the Indian tribe.

Indian Child Welfare Act (ICWA)

## 2. If the Child might be an Indian child, Complete the Native American Checklist

## 3. Determination of the Child's Tribe

To determine if the child is a member of a tribe or eligible for membership and the child's parent is a member, contact the child's tribe. If you don't know how to contact the child's tribe, contact the website [www.doi.gov/bia/desigag.html](http://www.doi.gov/bia/desigag.html) that lists the tribes, their addresses and tribal officers or contact the Phoenix Area Office of the Bureau of Indian Affairs (BIA) of the U.S. Department of Interior. The list of tribes also is printed in the Federal Register. The Area Director's address is:

Area Director  
Bureau of Indian Affairs  
Phoenix Area Office  
1 North First Street PO Box 10  
Phoenix, AZ 85001-0010  
Send by registered mail, return receipt requested, a copy of the Notice and Petition, to  
the Area Director of the BIA Phoenix Area Office.

The Bureau will make reasonable efforts to locate and notify the child's tribe, if the child meets the definition of an Indian child.

If the child may be eligible in more than one tribe, notice of the court proceedings at issue shall be sent to all tribes at which the child is eligible to enroll. This BIA can assist with determining which tribes those are and where they are located.

## D. EMERGENCY REMOVAL OF AN INDIAN CHILD

When a child is removed from the parent in an emergency the following is required:

### 1. Identify if the child meets the definition of an Indian child

If the Child's tribe(s) have been contacted, and the child's eligibility for enrollment in a tribe is still unknown, send the Petition for Protective Custody and Notice to the BIA

Area Director, by registered mail with return receipt requested. The BIA will try to determine if the child is eligible for enrollment and in what tribe(s).

The court must wait before starting the hearing. If within 15 days after receipt of the Notice, BIA is unable to verify the child meets the criteria of an Indian child, or to locate the Indian parents(s) or custodian(s), BIA shall inform the court and will state how much more time, if any, is needed to complete the search. BIA shall complete all research efforts, even if the efforts cannot be completed before the child custody proceeding begins.

#### Indian Child Welfare Act (ICWA)

If the child meets the definition of an Indian child, the tribe and parent(s) and custodian(s), must be sent notice with the petition, by registered mail, return receipt requested, before the proceedings are held. Refer to # 3. below.

### **2. Determine if the Child normally resides or is domiciled on an Indian Reservation or Colony**

If a child lives on an Indian Reservation or Colony and meets the definition of an Indian child, notify the appropriate tribal social service agency regarding its right to assume responsibility for the child.

### **3. If the Child does not live on the Reservation:**

- a. A petition for continued protective custody is filed with the juvenile or family court and an order for protective custody is obtained.
- b. An affidavit is attached to the petition and sent by registered mail, return receipt requested, to the BIA Area Office in Phoenix, if the parents, custodians or tribe are unknown, and if known, are sent by registered mail, return receipt requested, to the child's biological parent(s), Indian custodian(s) and the tribe for which the child is or may be eligible to enroll. In addition to what the State law requires for a Notice, the affidavit shall include:

- 1) The child's name, date of birth, birthplace and address.
- 2) The name of the Indian tribe(s) in which the child is enrolled or may be eligible for enrollment.
- 3) All known names, and current and former addresses of the Indian child's biological mother and father, maternal and paternal grandparents and great-grandparents or Indian custodians, including maiden, married, former and alias names; birthdates dates of death; places of birth and death; tribal enrollment numbers; and other identifying information.
- 4) A detailed account of the circumstances, which led to removal of the child from the parent(s) or custodian(s).
- 5) if the child resides or is domiciled on an Indian reservation or colony, a statement of the effort that has been made to notify the tribal social services.
- 6) A statement of what actions are planned to assist the parent(s) so that the child can safely be returned to his or her custody.



- 7) The location, mailing address, and telephone number of the State court and social services office.

#### Indian Child Welfare Act (ICWA)

- 8) A statement that, since child custody proceedings are conducted on a confidential basis, all parties notified shall keep confidential the information contained in the Notice concerning the particular proceeding. The Notices shall not be handled by anyone not needing the information contained in the Notices to exercise the tribe's rights under the Act.

#### 4. **Hearing**

Within 90 days of the date the child was removed from the home, if the child is not returned home, nor is jurisdiction transferred to the tribal court, there must be adjudicatory and dispositional hearings. The next Manual Section describes the hearing process.

#### E. INVOLUNTARY FOSTER CARE PLACEMENT

When a petition is filed in State court for involuntary removal of the child from the parent(s), the following are required:

##### 1. **Identify if the Child meets the Definition of an Indian Child**

Refer to Manual Sections 216 B. and C.

##### 2. **Determine if the Child resides on an Indian Reservation or Colony.**

If the child does reside on a Reservation or Colony, contact the appropriate tribal social service agency (e.g., Eastern Nevada Agency, the Phoenix Area Office; or one of the other tribes) about assuming responsibility.

Immediately upon the filing of the petition to remove the child from the parent(s), the Notice and a copy of the petition is personally served or sent by registered mail, return receipt requested, to the parent(s), the Indian custodian(s) and the child's tribe. In addition, send a copy, by regular mail to tribal social services.

##### 3. **If the Tribe Refuses to Assume Jurisdiction or the Child does not live on an Indian Reservation or Colony:**

- a. Notice of the court proceedings is personally served or sent, by registered mail, return receipt requested, to the child's parent(s) or Indian custodian(s), to the child's tribe and to the Area Director of BIA at least fifteen days before the hearing. Each tribe has a designee to whom notices are sent.
- b. In addition to the requirements under State law the Notice must include:
  - 1) The child's name, date of birth, birthplace.
  - 2) The name of the Indian tribe(s) in which the child is enrolled or may be eligible for enrollment.

## Indian Child Welfare Act (ICWA)

- 3) All known names, and current and former addresses of the Indian child's biological mother and father, maternal and paternal grandparents and great-grandparents or Indian custodians, including maiden, married, former and alias names; birthdates dates of death; places of birth and death; tribal enrollment numbers; and/or other identifying information.
  - 4) A copy of the petition, complaint or other document by which the proceeding was initiated.
- c. In addition, notice provided to the Area Director of BIA shall include: (The parents, custodians and tribe also receive this information in the notice they receive.)
- 1) A statement of the absolute right of the biological parents, the child's Indian custodians and the child's tribe(s) to intervene in the proceedings.
  - 2) A statement that if the Indian parent(s) or Indian custodian(s) is (are) unable to afford counsel, and if a State court so determines, counsel will be appointed to represent the Indian parent or Indian custodian where authorized by State law.
  - 3) A statement of the right of the parent(s), the Indian custodian(s) or the tribe to have on request, a twenty-day period to prepare for the hearing.
  - 4) The location, mailing address and telephone number of the State court and all parties notified pursuant to this section. The name of the petitioner and the name, address and telephone number of the petitioner's attorney.
  - 5) A statement of the right of the parent(s), Indian custodian(s) and the child's tribe to petition the court for transfer of the proceeding to the child's tribal court pursuant to 25 U.S.C. § 1911, absent objection by either parent: Provided, that such transfer shall be subject to declination by the tribal court of said tribe.
  - 6) A statement of the potential legal consequences of the proceedings on future custodial and parental rights of the Indian parent(s) or Indian custodian(s).
  - 7) A statement that, since child custody proceedings are conducted on a confidential basis, all parties notified shall keep confidential the information contained in the Notice concerning the particular proceeding. The Notices shall not be handled by anyone not needing the information contained in the Notices to exercise the tribe's rights under the Act.

## Indian Child Welfare Act (ICWA)

- d. If it is felt that the parent cannot understand the Notice because of limited comprehension of English, a copy of the notice is also sent to the nearest BIA office, which will interpret the notice to the parent.

#### **4. Hearing Date**

If the parent or tribe requests 20 additional days to prepare for the hearing, the hearing should not be held until 30 days after the parent and tribe received notice of the hearing. If no additional time is requested, the hearing may be held ten days after the parent and tribe received notice.

#### **5. Access to Court Records**

Each party to the foster care placement, under State law, shall have the right to examine all reports or documents filed with the court upon which any decision with respect to such action may be based. This would exclude the name of the person who made a complaint of child abuse or neglect against the parent or custodian, since that information is protected by State law.

#### **6. Transfer of Jurisdiction to the Tribal Court**

- a. Either the parent, custodian or the tribe can request that the proceedings be transferred to the tribal court by petitioning the State court.
- b. Either the parent, custodian or the tribe can intervene, and request that the jurisdiction remain with the State court.

NOTE: A Tribe can "intervene" without assuming jurisdiction. This means that jurisdiction remains with the State court and the tribal court is notified of court actions while the child is in DCFS custody. The tribe must be sent notice of each hearing and a copy of the court report. The notice is sent to the tribal intervening authority, determined by the tribe.

- c. Upon receipt of a petition to transfer jurisdiction, the State court shall notify both the tribe and the parent(s). The State court MUST transfer the case, unless the tribal court declines jurisdiction, unless there is "good cause" to the contrary. The court will decide what is good cause.
- d. Evidence may be presented to the court opposing the transfer of jurisdiction to the tribal court.
- e. If jurisdiction has not been transferred to the tribal court, the State court should appoint counsel for the parent(s) if they are indigent.

Indian Child Welfare Act (ICWA)

#### **7. Improper Removal**

If the court finds that the child was improperly removed from the custody of his parent(s), or the child was improperly retained and the petitioner is responsible for the removal or retention, the child shall be returned to his or her parents or custodian. The child will not be returned if such return would subject the child to a substantial and immediate danger or threat of such danger.

## **8. Hearing**

### **a. Expert Witness**

The hearing requires evidence and the testimony of at least one expert witness to demonstrate that it is not safe to return the child home currently because it is likely to result in serious emotional or physical damage to the child (ren).

### **b. A person is considered to be an expert witness if:**

1. He/she is a member of the child's tribe and is recognized by the tribal community as knowledgeable in tribal customs as they pertain to family organization and child rearing practices;
2. He/she has substantial experience in the delivery of child and family services to Indians, and extensive knowledge of prevailing social and cultural standards and child rearing practices within the child's tribe; or
3. He/she is a professional person having substantial education and experience in the area of his/her specialty.

### **c. Efforts to prevent removal**

At the court hearing, the DCFS must demonstrate that active efforts were made to provide remedial and rehabilitative services designed to prevent the breakup of the Indian family and these efforts have proved unsuccessful. The removal of the child (ren) from his or her parent(s) was because of conditions, which endangered the child's (ren) emotional or physical well-being.

- d. ICWA uses a higher standard of evidence than is found in State law to prove the necessity for removal from the parent(s). The Act states that the court should not invoke an involuntary proceeding unless clear and convincing evidence is presented, which demonstrates that the child's continued custody with the parent(s) is likely to result in serious emotional or physical damage to the child.

The evidence must show that particular conditions exist in the parent'(s) home and those conditions are likely to result in serious emotional or physical damage to the child. For example, a child is removed from school over a certain amount of time to attend pow-wows, religious functions, funerals, etc. Is this so detrimental to the child as to constitute abuse, or is it culturally appropriate?

Indian Child Welfare Act (ICWA)

## **9. Placement in Substitute Care**

If the court awards custody to the Division for placement in substitute care, the following is required:

- a. The child must be placed in the least restrictive setting:

- 1) Which most approximates a family;
  - 2) In which his or her special needs may be met; and
  - 3) Which is as near as possible to his or her home.
- b. Placement preference must be given in the following order unless there is good cause to not follow it:
- 1) Placement with a member of the child's extended family;
  - 2) Placement with a member of the child's tribe;
  - 3) A foster home licensed or approved by the child's tribal social service agency;
  - 4) An Indian foster home licensed by a non-Indian agency.
  - 5) An institution for children approved or operated by an Indian organization, which has a program suitable to the child's needs.
- c. To comply with the placement order of preference, if good cause to the contrary does not exist, and if a relative of the child is not available for placement:
- 1) Contact the appropriate Nevada tribal social service agency to try to locate a foster home.
  - 2) If none are available, try to locate and place the child in a Division licensed Indian foster home. Contact other regional offices and county child welfare agencies if your office does not have a suitable home.
  - 3) Only if a placement cannot be located after the above steps have been taken, can the child be placed in a non-Indian foster home.

#### Indian Child Welfare Act (ICWA)

#### F. Voluntary FOSTER CARE PLACEMENT

##### 1. **Parent wants to place child in voluntary foster care**

When the parent of an enrolled Indian child or one, who might be eligible for enrollment in an Indian tribe, wants to place the child voluntarily in foster care, the following procedures must be followed:

- c. Determine if the child meets the qualifications as an Indian child. Refer to Manual Sections 216 B and C.

- d. Determine if the child normally resides on an Indian reservation or colony. If so, refer the parent(s) to the tribal social service agency so the tribal agency can provide voluntary placement services, unless the parent objects.
- e. The parent has the right to request that the substitute care placement be handled through the tribal court. This should be discussed with the parent before acceptance of the Parental Agreement for Voluntary Placement. If the parent wants the proceeding handled by the tribal court, notify that court in writing and send it registered mail, return receipt requested. The tribal court may accept or refuse to accept jurisdiction over the proceedings.
- f. If the tribal court refuses to accept jurisdiction or the parent lives off the reservation and wants the proceeding handled by the State court, the procedures under # 2. below shall be followed.

## **2. Voluntary Placement Agreement**

- a. Child Placed in Temporary Substitute Care (child more than 11 days old)

The district office manager must approve accepting a Parental Agreement for Voluntary Placement.

The parent must sign The Parental Agreement for Voluntary Placement before a juvenile court or family court judge. The judge must certify that the conditions of the Agreement were explained in the language of the parent, and that the Agreement was understood by the parent. The parent signs five copies of the Parental Agreement for Voluntary Placement of an Indian Child (form 3426) in front of the judge. The child must be at least 12 days old. The judge then signs the certification. Two copies are for the court, one for the parent and one for the service record, one for the eligibility record.

Upon written Notification to the Court by the parent, the Voluntary Placement Agreement becomes void and the child must be returned as soon as possible to the parent. If DCFS feels the child would be endangered by returning to the parent, DCFS should initiate procedures to petition the court for legal custody of the child. Refer to Manual Section 216 E.

Indian Child Welfare Act (ICWA)

## **3. Child Placed in Substitute Care Pending Freeing for Adoption**

Provisions of ICWA must be clearly explained to the parent(s) as well as all potential outcomes of ICWA (i.e. placement preference and adoption preference).

- a. If the child is more than 11 days old at the time of placement in substitute care, the procedures outlined under #2 are followed, if a relinquishment for adoption cannot be taken.

- b. If the child is less than 12 days old at the time of placement in substitute care, the worker shall:
  - 1) Obtain office manager approval before accepting a Substitute Care Agreement.
  - 2) Have the Agreement for Substitute Care Placement (3043) signed by the parent(s) in the presence of two witnesses. After the Substitute Care Agreement is signed, the worker shall obtain a court order for temporary custody. Then, the social worker can place the child in substitute care.
  - 3) After the child is 12 days old, if the parent still agrees to the voluntary substitute care placement, follow the procedures under #2
- c. Upon the parent's written request to the court, for the return of the child, the placement becomes void and the child must be returned to the parent, unless the child's adoption has been finalized. The child's tribe must be immediately notified. If DCFS feels the child would be endangered by returning to the parent, DCFS should initiate procedures for petitioning the court for legal custody of the child. Refer to Manual Section 216 E.

#### **G. TERMINATION OF PARENTAL RIGHTS**

##### **1. Identify if the child meets the definition of an Indian child.**

Refer to Manual Sections 216 B. and C.

##### **2. Determine if the child resides on an Indian Reservation or Colony**

If so, serve Notice or send it by registered mail, return receipt requested, to the appropriate designated tribal agent regarding assumption of responsibility for the child. Send a copy of the Notice and Petition to Terminate Parental Rights to the BIA Area Office in Phoenix.

Indian Child Welfare Act (ICWA)

##### **3. Notification of the Tribe and the Parent(s)**

When petitioning to terminate parental rights of an Indian child's parent in State court, in addition to the notice requirements under State law, the notice requirements for the parent(s) and child's tribe and the Area Office of BIA, outlined under Manual Section 216 E.3. must be followed. The tribe may intervene in the proceedings, and jurisdiction may transfer to the tribe; both of which are described above.

##### **4. Appointment of Counsel**

If jurisdiction remains with the State court and the parent(s) is indigent, the court should appoint counsel for the parent(s).

## 5. Hearing to Terminate Parental Rights

- a. ICWA requires a higher standard of evidence than does State law, namely beyond a reasonable doubt. It also limits the grounds under which parental rights can be terminated.
- b. The testimony of at least one expert witness is required in proving that the grounds to terminate parental rights exist. A person is considered to be an expert witness if:
  1. He/she is a member of the child's tribe and is recognized by the tribal community as knowledgeable in tribal customs as they pertain to family organization and child rearing practices;
  2. He/she has substantial experience in the delivery of child and family services to Indians, and extensive knowledge of prevailing social and cultural standards and child rearing practices within the child's tribe; or
  3. He/she is a professional person having substantial education and experience in the area of his/her specialty.
- c. It is necessary to demonstrate to the court that active efforts were made to improve the family's circumstances so the child could be returned home and those efforts involved the use of available resources of the extended family, the tribe, and a tribal social service agency.
- d. In addition, to terminate parental rights, it is necessary to demonstrate to the court, with evidence beyond a reasonable doubt that returning the child to the parent(s) is likely to result in serious emotional or physical damage to the child.
- e. The evidence must show that particular adverse conditions exist in the parent'(s) home and that those conditions are likely to result in serious emotional or physical damage to the child. For example, a child is removed from school over a certain amount of time to attend pow-wows, religious functions, funerals, etc. Is this so detrimental to the child as to constitute abuse, or is it culturally appropriate?



## Indian Child Welfare Act (ICWA)

### **6. Placement in a Foster Home**

If the child needs a foster home placement before placement in an adoptive home, the placement procedures outlined in Manual Section 216 E.8., entitled Placement in Substitute Care, are followed.

### **7. Placement in an Adoptive Home**

When placing an Indian child in an adoptive home, the following order of placement preference must be followed, unless there is good cause to the contrary:

- a. Placement with adult members of the child's extended family;
- b. Placement with other adult members of the child's Indian tribe;
- c. Placement with other Indian families.
- d. Good cause to not follow the order of placement preference includes:
  - 1) The request of the parent (an affidavit, drawn up by a deputy attorney general, stating the parent's preference, is required).
  - 2) The request of the child if the child is over age 12 (an affidavit, drawn up by a deputy attorney general, stating the child's preference, is required).
  - 3) The special needs of the child including educational, cultural, physical and medical needs.
  - 4) There are no suitable families available after a diligent search has been made. The case record must document efforts were made to comply with ICWA placement preferences.
- e. To comply with the order of preference, unless the parent or child objects, the child's extended family shall be contacted about providing an adoptive home for the child.
- f. If the family cannot or does not want to provide a home, contact the Adoption Specialist in the BIA Phoenix Area Office to determine if the Specialist knows of an adoptive family belonging to the child's tribe or can locate such a family.
- g. Send the DCFS Adoption Specialist a copy of your letter to the BIA Adoption Specialist. If no family from the child's tribe is located, the DCFS Adoptions Specialist will work with the BIA Adoptions Specialist to try to locate a suitable Indian family from another tribe.

## Indian Child Welfare Act (ICWA)

- h. If an Indian family is found who can provide a suitable home and the family resides on an Indian Reservation or Colony, the adoptive home study can be done by either the tribal social service agency or DCFS. If the family does not reside on an Indian Reservation or Colony, DCFS does the adoptive home study.

### H. VOLUNTARY RELINQUISHMENT FOR ADOPTION

1. If the parent of an Indian child wishes to relinquish the child for adoption, the following is required:
  - a. Determine if the child is an Indian child. Refer to Manual Section 216 B. and C.
  - b. Determine if the child resides on an Indian reservation or colony. If so, contact the tribal social services agency to assume responsibility.
  - c. The parent has the right to request that the adoption proceedings be handled through the tribal court. This should be discussed with the parent before acceptance of a relinquishment. If the parent wants the proceedings handled through the tribal court, notify the tribal court in writing by registered mail, return receipt requested. The tribal court may accept or refuse jurisdiction over the proceedings.
  - d. If the tribe refuses to accept jurisdiction or the parent wants the proceedings handled by the State court, the procedures outlined below shall be followed. (The tribe can override parent's request.)
2. The relinquishment for adoption must be signed by the parent, witnessed by two persons and notarized before a juvenile or family court judge. It cannot be signed until at least 11 days after the birth of the child. The judge must certify that the relinquishment and ICWA were fully explained to the parent in the primary language of the parent and that the relinquishment was understood by the parent. A RELINQUISHMENT CANNOT BE TAKEN FROM A PARENT FOR AN UNBORN CHILD.
3. Six copies of the Relinquishment of an Indian Child for Adoption (Form 3428) are to be filled out before the court appearance. All six copies must be signed by the parent, two witnesses sign them and they are notarized before the court judge after the form has been explained to the parent in the parent's primary language. The judge then signs the certification. Two copies are for the court; a copy is given to the parent; two copies are for the case record, one of which will accompany the Confidential Report to the Court for finalization of the adoption; and one copy is forwarded to the Division Adoptions Specialist.

It is important to insure that the relinquishment is fully understood by the parent and that it is not taken when the parent is under duress since the relinquishment and the adoption could be set aside if the court finds the relinquishment was obtained through fraud or duress.

## Indian Child Welfare Act (ICWA)

4. The relinquishment, contrary to state law, may be withdrawn by the parent at any time before finalization of the adoption. To withdraw a relinquishment the parent must file a document with the court where the relinquishment was taken and request withdrawal of the relinquishment. If the adoption has not been finalized, the court will notify the Division and the child must be returned to the parent as soon as possible.
5. When an adoption is set aside, when the adoptive parents relinquish the child or when the child is removed from an adoptive home, a registered letter, return receipt requested, shall be sent to the biological parent(s) or Indian custodian(s) stating that the biological parent(s) or Indian custodian(s) may petition the court for return of the child.

If the biological parent waived notification on the Relinquishment of an Indian Child for Adoption (Form 3428), this letter is not required. When notified, the parent may petition the court for return of custody of the child. (This notice is not required if parental rights were involuntarily terminated by the court.) If the parent waived notification on the Relinquishment form, that waiver can be revoked at any time by the parent filing a written notice of revocation with the court where the relinquishment was taken.

### 6. Placement in a Foster Home

If the child needs to be placed in a foster home, the placement preference and procedures outlined in Manual Section 216 E.8. must be followed.

### 7. Placement in an Adoptive Home

When the child is to be placed in an adoptive home, the placement preference and procedures outlined in Manual Section 216 G.7. must be followed.

## I. Enter Data on UNITY for Indian Child

If a child meets the criteria of an Indian child, complete the racial and ethnic data on the appropriate screens and the American Indian Detail, Tribal Information (CFS 414) screen.

**NEVADA DIVISION OF CHILD AND FAMILY SERVICES  
NEVADA CHILDREN'S JUSTICE ACT TASK FORCE &  
INDIAN CHILD WELFARE STEERING COMMITTEE**

**PROTECTING NEVADA'S CHILDREN THROUGH  
STATE/COUNTY AND TRIBAL COLLABORATION**

Register now for this three (3) day symposia for Child Welfare/Mental Health and Tribal Social Services Training featuring the following free workshops:

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- CASII training will enable the participant to complete scoring on youth on the six dimensions relevant to qualifying for and selecting children's mental health services through Medicaid funding. This score is required at the outset and every 90 days when receiving Medicaid funded children's mental health rehabilitative services.

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Hotel Accommodations\*: Atlantis Casino Resort, 3800 S. Virginia St., Reno, NV  
A block of rooms is reserved for ICWA Symposia Participants at the rate of \$58 per night (includes taxes). Call 1-800-723-6500 and identify "ICWA" as the code word for the special rate. Please make your reservations with your credit card as soon as possible. The cut-off date for hotel registration is May 14, 2006.

\*Hotel accommodations and travel will be reimbursed at State rates.

## **Appendix F**

### **RURAL REGION ASSESSMENT AND ACTION PLAN**

#### **OVERVIEW**

Due to this child welfare systems change, the Rural Region has recently been reorganized to clarifying the management structure and geographical coverage. The Rural Region management team now includes the DCFS Child Welfare Deputy Administrator, the Rural Region Manager, and three Social Service Managers. The Rural Region Manager is directly responsible to the DCFS Child Welfare Deputy Administrator and supervises the three Social Service Managers. The three Social Service Managers are directly responsible for the management of the three Rural Region Area Offices including: 1) Area 1 North – Ely, Elko, Battle Mountain, and Winnemucca; 2) Area 2 Central – Fallon, Carson, Yerington, Silver Springs, and Lovelock; and 3) Area 3 South – Pahrump, Hawthorne, and Tonopah.

The change in Nevada's administration of child welfare services has affected the Rural Region by creating a re-distribution of resources having a ripple effect impacting issues such as staffing and funding. The Rural Region while covering a large geographical area includes only 13.1% of Nevada's population. It is clear that the rural area of Nevada is confronted with very different child welfare practice and service delivery issues than the urban areas of Clark and Washoe. Due to the unique child welfare issues impacting rural practice, the Rural Region Management Team is implementing a process to assess practice and the service delivery system to develop a targeted strategic plan to support staff and improve outcomes for the families and children served.

#### **Assessment and Rural Region Action Plan**

Based on the completion of the first round of the Child and Family Service Reviews (CFSR), we have learned that to improve safety, permanency and well-being outcomes for families and children, we must improve child welfare practice. We know to improve practice we must engage the child welfare field and create change at the worker level. Improving practice at the local level requires true engagement and investment of staff in the process. Local child welfare staff is on the front line everyday risking their own safety to ensure the safety of children and families. They are the child welfare and community experts. They play a vital role in the planning and implementation of practice changes for program improvements.

Nevada's Rural Region Management Team is implementing a strategy based on the lessons learned from the CFSR. This strategy is built on true partnerships with the staff, stakeholders and communities of the Rural Region to improve the safety, permanency and well-being outcomes for children and families. This approach is a collaborative effort to assess the unique rural practice and service delivery issues and to develop a Rural Region Action Plan that links to and supports the identified priorities of the Nevada PIP.

This strategic planning approach is based on basic social work principles and practice. This parallels what social workers do everyday with families and children. We know that caseworkers must first engage the family in a professional relationship, identify and assess the family's individual needs, and in partnership work with the family to develop and implement a case plan to improve family outcomes. The worker and family together review and

continuously update the case plan to remain current and to gauge progress toward the goals. We are applying these social work principles to improve outcomes for Nevada's children and families statewide. This approach provides a structure for promoting teamwork, collaboration, and decision making that can be replicated and modeled by the Regional Management Team with supervisors, by supervisors with social workers, and by social workers with their families and communities to improve the quality of services among day to day practice!

#### **Rural Region Assessment and Action Plan Framework:**

- The content of the Rural Region Action Plan (RRAP) will target the three practice areas outlined in the Nevada PIP: safety, engagement, and case management. Focusing efforts on these three areas will have a local and regional impact on improving outcomes for children and families.
- The three areas of safety, engagement and case management are all interrelated. We know that by truly engaging the family in the case planning process we can reduce the risk of harm for children and achieve more timely reunifications thereby improving outcomes for families and children statewide.
- The RRAP has been developed to reflect specific local strengths and areas needing improvement based on input from the field and the results of targeted assessments and surveys.
- Social Service Managers have been working directly with the supervisors and staff to develop priorities and strategies for the plan. District Office over-site will be provided by the supervisors, Area Office over-site by the Social Service Managers and regional over-site by the Rural Region Manager.
- There has been community involvement in developing the RRAP. Stakeholders are actively involved in both the assessment and strategic planning process. Stakeholders include the courts, service providers, tribal representatives, foster/adoptive families, faith based community, Child and Family Teams, Multi-disciplinary Teams and others.
- The Rural Region will receive the area and district data necessary to assess and identify outcome areas and items in the Nevada PIP that can be addressed at the area and district level.
- The Rural Region Manager, Social Service Managers, supervisors, and casework staff will need to determine where challenges exist based on a Rural Region Self Assessment and Workload Survey. These tools developed for Nevada will help collect input from staff and stakeholders necessary to target rural practice issues.
- The RRAP targets strategies to improve practice that are specific to and are being addressed at the local level.
- The RRAP supports the overall vision and conceptual framework of the Nevada PIP. This includes sharing responsibilities with other agencies in both the planning and implementation of the RRAP, especially the courts.
- Successful improvement strategies are shared across the Rural Region through Area and District Office meetings and through other forums.
- UNITY and SOAR reports will be utilized to monitor progress on the plan as well as other pertinent data sources such as the Supervisory Case Review.
- The RRAP will include goals to measure progress based on the regional area and district data and will link to the goals and priorities in Nevada's PIP.
- Technical assistance is being provided through the DCFS by a consultant working directly with the DCFS Deputy Administrator, the Rural Region Manager and the Social Service Managers to assist with the development and implementation of the RRAP.

- Following implementation of the RRAP, monitoring of progress will begin immediately. Reporting will include monthly and quarterly reports. The local district offices and supervisors will report monthly to the Social Service Managers. The Social Service Managers will report for the Area Office quarterly to the Rural Region Manager. The Rural Region Manager will compile the Rural Region Quarterly RRAP Report for the DCFS Deputy Child Welfare Administrator. This report will be used for on-going management of the plan and to ensure the plan remains current and useful.

**This Rural Region Assessment and Action Planning Practice Guide includes:**

- A Rural Region Self Assessment tool with instructions;
- Area Office Self Assessment tool with instructions;
- A Community Stakeholder Assessment tool with instructions;
- A Workload Survey for social workers and supervisors with instructions; and,
- A Workload Survey for support staff with instructions.

**The Rural Region Action Plan will target:**

- Three priority practice areas: safety, engagement and case management;
- Performance indicators based on safety, permanency and well-being;
- Any safety issues identified within the District Offices;
- Measurable Goals;
- Action steps to achieve identified goals;
- Time frames for achieving these action steps; and
- Lead staff who will be responsible for these actions.

The RRAP will be for one year and will include activities through May 31, 2007. The RRAP will be reviewed and updated annually in coordination with the DCFS Child and Family Service Plan and Annual Progress Service Report.

**Action Steps taken for the RRAP include:**

- Training and technical assistance was available onsite for the Rural Region utilizing a RRAP Consultant provided through the Division of Children and Family Services.
- The RRAP Consultant worked directly with the Rural Region Management Workgroup and developed the process, tools, and training necessary to develop the RRAP.
- The first step was to conduct a rural region self assessment. This rural region self assessment process engaged community stakeholders and staff from each district and area office and collected input identifying local priorities for improvement.
- As part of the regional assessment, staff participated in a workload survey to gather job specific information.
- Each Rural Region Area Office had an orientation to the Rural Region Self Assessment and Workload Surveys on December 12, 2005.
- The supervisors initiated the assessment and survey with staff following the December 12<sup>th</sup> training. Immediately following the training, the Workload Survey was implemented. The Workload Survey was completed individually by social workers, supervisors and support staff. The surveys were submitted through a process that ensured confidentiality, which was completed on January 6, 2006. The completed

Workload Surveys were forwarded to the RRAP Consultant on January 9, 2006. The RRAP Consultant completed the Workload Survey Report on February 10, 2006 and was shared with all involved staff and the information was used to identify Rural Region, Area and District Office priorities for the RRAP.

Also following the December 12th training, the regional assessment process was implemented by the Social Service Managers and identified lead supervisors from the District Offices. Each District Office assigned a lead supervisor who began collecting input from local stakeholder groups and DCFS staff and was forwarded to the Area Office Assessment Team on January 23, 2006.

- Each Social Service Manager established an Area Office Assessment Team (AOAT) that completed the self assessment based on input received from the District Offices. The AOAT reviewed the District Office input and was submitted. A strategic planning session will be held per Rural Region Area Office to include the Rural Region Manager, Social Service Manager, supervisors, casework staff, other local staff, and key community stakeholders.
- The strategic planning session will provide all participants with the updated Rural Region Assessment and Planning Practice Package that will include the Regional Assessment and Survey Reports, the format and instructions for developing the Rural Region Action Plan; and instructions and tools for monitoring and reporting progress.
- Each Area Office will have a draft action plan by the end of the strategic planning session. All areas will have participated in the strategic planning sessions by April 14, 2006.
- Immediately following the strategic planning session, the Social Service Manager with the AOAT will continue work to finalize the Area Office Action Plan by April 21, 2006.
- After finalizing, the Social Service Manager will submit the Area Office Action Plan to the Rural Region Manager. The consultant will provide technical assistance to the Social Service Managers and Rural Region Manager to integrate the Area Office Action Plans into a comprehensive RRAP by April 27, 2006.
- The Rural Region Manager will work with the DCFS Deputy Administrator regarding any revisions necessary for RRAP approval.
- Upon the DCFS Deputy Administrator's approval, the RRAP implementation will begin.
- Each Area Office must implement the RRAP no later than May 3, 2006 and immediately begin monitoring progress.
- Supervisors will report monthly to the Social Service Manager regarding actions specific to the supervisor or caseworkers under their supervision.
- The Social Service Manager will compile the monthly reports and submit a consolidated quarterly report to the Rural Region Manager.
- All Area Offices will have and use the same tools for reporting progress.
- The RRAP Quarterly Report covering May – July 2006 will be based on reports submitted in August. The first quarterly report results will be available for distribution by September 2006.
- Any changes or revisions to the RRAP must be requested in writing by the Social Service Manager and approved by the Rural Region Manager. A copy of the request, approval and revised plan should be submitted to the DCFS Child Welfare Deputy Administrator along with the quarterly RRAP report.



**NEVADA DIVISION OF CHILD AND FAMILY SERVICES  
RURAL REGION LEARNING LAB WORK PLAN**

JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST
LEARNING LAB I	LEARNING LAB II	LEARNING LAB III	LEARNING LAB IV	LEARNING LAB V	LEARNING LAB VI	LEARNING LAB FINAL MEETING	CLOSE OUT REPORT
<p>TOPIC: Leadership and Management: What is supportive supervision?</p> <p>How to build a team that will work together and stay... Recruitment, Hiring, Retention</p>	<p>PROPOSED TOPIC: Supervisor Competencies and Professional Development as a Supervisor:  Changing the Organizational Culture to a Professional and Learning Environment  How do we make a difference in the lives of children and families?</p>	<p>PROPOSED TOPIC: Kouzes and Posner's material in "The Leadership Challenge"</p> <p>What is our vision for this agency? What do we want to accomplish and how?</p> <p>How do we manage change?</p>	<p>PROPOSED TOPIC: Coaching and Mentoring – Clinical Casework Supervision</p> <p>Quality Work vs. Compliance Only</p>	<p>PROPOSED TOPIC: Interactive Supervision – Tuning In and Cultural Responsiveness (Shulman Book)</p>	<p>PROPOSED TOPIC: Interactive Supervision – Phases of Supervision:  Supervising workers with different levels of experience and skills (Shulman Book)</p>	<p>TOPIC: Evaluation and Feedback session</p> <p>Final Review of Curricula</p> <p>Plan for Sustainability</p>	<p>TOPIC: Final Curricula and Training Guides Distributed to Learning Lab Workgroup Members</p> <p>Close out report on Learning Lab including evaluation results</p>
DATES: January 13, 2006	DATES: February 9 – 10, 2006	DATES: March 9-10, 2006	DATES: April 13-14, 2006	DATES: May 4-5, 2006	DATES: June 8-9, 2006	DATES: July 20, 2006	DATES: No Meeting
TIME: 8:30 – 3:30	TIME: 8:30 – 3:30	TIME: 8:30 – 3:30	TIME: 8:30 – 3:30	TIME: 8:30 – 3:30	TIME: 8:30 – 3:30	TIME: 8:30 – 3:30	TIME: No Meeting
LOCATION: Carson City District Office	LOCATION: Carson City District Office	LOCATION: Carson City District Office	LOCATION: Carson City District Office	LOCATION: Carson City District Office	LOCATION: Carson City District Office	LOCATION: Carson City District Office	LOCATION: No Meeting

Nevada ICWA Jurisdictional Tables reviewed/approved 06/14/06