



CITIZEN REVIEW PANELS

ANNUAL REPORT

for calendar year

2013

submitted by

Nevada Statewide Citizen Review Panel
Northern Citizens Advisory Committee

and

Southern Citizens Advisory Committee

to

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EXECUTIVE SUMMARY

The Nevada Statewide Citizen Review Panel (CRP) was established in 1999 under Nevada Revised Statutes (NRS) 432B.396 and has federally mandated responsibilities under Title I, Section 106, of the Child Abuse Prevention and Treatment Act (CAPTA). The Panel has the following primary 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.

The Statewide Panel consists of members appointed by the Administrator of the Division of Child and Family Services (DCFS), whose designee also serves on the Panel. The group includes representation from community-based organizations and professionals with backgrounds related to child protective services (CPS), child advocacy, children's mental health, substance abuse treatment, education, and foster parenting.

The Statewide Panel works toward fulfilling the following three primary goals:

1. Reviews the State's implementation of previous CRP recommendations.
2. Participates in ongoing policy and procedure reviews, and targeted case reviews.
3. Considers and implements new areas of subject review within the CAPTA Assurances, Section 106.

In essence, the Statewide Panel's work consists of the review of internal policies and procedures within the CPS system, along with individual CPS case reviews. Each year, the Statewide Panel's findings are summarized in an Annual Report (this document) submitted to the federal government as part of the CAPTA requirements.

Nevada's second and third CRPs have been active since 2007. Two existing oversight groups focused on child welfare were invited into the CRP process in 2006: 1) the Northern Citizen Advisory Committee (CAC), and 2) the Southern CAC. These groups have begun to examine specific areas of review defined for CRPs by CAPTA, and contribute to recommendations included in the Annual Report.

Primary Panel goals for 2012 included work in the following areas:

- The disclosure of rights to biological parents who come in contact with the child welfare system.
- Monitoring policies, implementation, and practices resulting from the updated Nevada Initial Assessment (NIA) safety model.
- The child and family team (CFT) meeting process.
- Biological and foster parent engagement toward the safety, permanency, and wellbeing of families.
- Training for relative caregivers.
- Contact and visitation for non-offending biological parents.

Statewide Panel recommendations for 2012 focus specifically on restructuring and improvements to the brochures used by child welfare agencies for the disclosure of rights to biological parents who come in contact with the child welfare system, along with improvements to policies, implementation, and practices resulting from the updated Nevada Initial Assessment (NIA) safety model.

Additionally, the Statewide Panel received responses from DCFS based on its 2011 recommendations, which are summarized in this report. Updates on the activities of the Northern and Southern CACs are also included in this report.

PANEL ACTIVITIES

Statewide Panel

The Statewide Panel engages in regular work to review regional and statewide policies, procedures, and practices to ensure the protection and safety of children within the child welfare system. Areas of focus and specific work are detailed above in the Executive Summary. Additionally, the Statewide Panel is directly involved in the DCFS Quality Improvement (QI) system and its members serve as external stakeholders in a targeted case review process that allows them to focus on specific factors of CPS cases that fall within the CRP's primary areas of review.

Northern CAC

The Washoe County Department of Social Services (WCDSS) continues to utilize the Social Services and Permanency Innovations Initiative (PII) Advisory Boards to maximize community response to agency practices, challenges, and opportunities. Goals for the WCDSS Agency Improvement Plan, as required by statute, were incorporated into the fiscal year 2013 Department Strategic Plan and shared with members at the August 17, 2012, meeting. Three meetings of the PII Citizens Advisory Committee (CAC) were held and it was determined at the last meeting that incorporating the PII CAC and Advisory Board provided advantages due to membership cross-over.

The Advisory Board and PII CAC were informed of the status of implementation stages regarding PII and compliance with Children's Bureau requirements around meeting project benchmarks, research compliance, and training to meet fidelity to the Safety Assessment and Family Evaluation (SAFE) and Family Connections models.

The Department also provided information to the Advisory Board regarding safety model implementation stages including Intake Assessment (IA) and Nevada Initial Assessment (NIA) training and quality assurance monitoring. Success of the PII project is dependent on how well the IA and NIA are conducted by WCDSS staff so it is a priority to share with community stakeholders. A separate project was also outlined to the Advisory Board regarding a treatment level care pilot, with a goal of improving mental health and behavioral services for children requiring treatment level care. The Department will collaborate with Medicaid to measure outcomes to determine whether the pilot is successful in keeping children in stable placements with least restrictive services required. The Department also provided information regarding compliance with statute related to psychotropic medications.

Finally, WCDSS encouraged community participation by relative caregivers, foster parents, treatment level providers, birth parents, and former foster youth to assess whether the Department should implement a new philosophy and practice for recruiting, retaining, and partnering to improve the quality of care for children placed in the legal custody of the Department. Three community-based sessions were held regarding Quality Parenting Initiative (QPI) in 2012. QPI is currently in place in several states and jurisdictions and offers on-demand, computer-based, "just in time" training and foster parent mentor programs. Most importantly, QPI encourages a philosophical shift regarding out of home care

including that effective parenting is the most important contributor to child well-being and development.

Southern CAC

Due to turnover in Southern CAC membership and leadership during 2012, no update is available for this calendar year.

2012 Recommendations

Disclosure of Rights to Biological Parents

Recommendation 1: DCFS should complete the redevelopment of primary and secondary parental rights brochures to be implemented statewide. Original itemized recommendations from the CRP are contained in the memo to DCFS Decision-Making Group (DMG), dated December 6, 2011.

Discussion: This is a continuing recommendation from 2011. The Panel is pleased that the DCFS Decision-Making Group (DMG) has initially agreed to move forward with the redevelopment of statewide parental rights brochures. The Panel is in the process of reviewing the draft primary brochure, and will work with staff to convene a stakeholder group for final review of the document. After this, the final brochure will be submitted back to the DMG for approval and distribution.

The Panel would like to conduct similar work with DCFS staff for the redevelopment of the secondary brochure, which should also be reviewed by a stakeholder group prior to submission back to the DMG. The Panel would like to see this work concluded in the first half of 2012. As a reminder, the original recommendations for improvements are summarized in the memo referenced above, which immediately follows the *2012 Recommendations* section in this document, on pages 10 – 13.

Policies, implementation, and practices resulting from the updated Nevada Initial Assessment (NIA) safety model

Recommendation 2: DCFS and the child welfare jurisdictions should increase their support of caseworkers' ability to access quality community supports for families, including information and training on funding options for services.

Discussion: The Panel recognizes that the rollout of the update NIA model places a strong emphasis on connecting families with services that will address core safety concerns within the home in order to increase safety and permanency for children. The Panel also recognizes that the recent economic downturn has reduced the service array available in communities across the state. Based on these contextual changes and their effects on casework, the Panel believes it is important to ensure that: 1) Caseworkers have access to information on current resources in their communities that relate to services including mental health and substance abuse counseling, parenting skills classes, medical and dental services, residential treatment, job searching and training, and other supports needed to help families promote safety and retain custody of their children. 2) Caseworkers are trained to be knowledgeable about eligibility and access to funding supports including Temporary Assistance for Needy Families (TANF) and Medicaid. Caseworkers should be able to help families access these funding supports in order to facilitate payments for needed community-based services.

Recommendation 3: DCFS should collaborate with the Court Improvement Project (CIP) to provide training to judicial professionals on the new protective capacity family assessment (PCFA) process in order to make the conditions for the return of children to their families clear to all stakeholders in the family court process.

Discussion: Based on feedback from several child welfare jurisdictions, the Panel believes that the introduction of protective capacity standards into CPS casework, as part of the updated NIA safety model, has created confusion for both parents and judges involved in family court proceedings related to child welfare. It has been reported that some family courts in the southern region are requiring parents to attend “protective capacity classes” and take a “protective capacity assessment,” often at a cost of several hundred dollars. Of great concern are reports that some parents are not being reunified with their children because they cannot afford the assessment. The Panel believes this approach is unfairly burdensome for parents, and does not meet the intent of the updated NIA safety model. If protective capacity is intended to be a common set of criteria for both caseworkers and judicial professionals to assess the ability of parents to provide a safe living environment and adequately care for their children, then this is something that needs to be addressed by child welfare and judicial agencies as part of case planning and related court orders, not forced onto parents as an ad hoc system of parental skills training.

Recommendation 4: The conditions for the return of children to their families should be made both concrete and clear to parents as part of the case planning that results from the NIA.

Discussion: The Panel believes that in many CPS cases, there is a lot of discussion about when children might return home, but there is often no concrete information about what needs to be done by parents for their children to be returned. The Panel understands that the NIA provides a philosophical framework for evaluating safety and determining how to best protect children. This framework is executed based on an array of related policies, procedures, and practices. However, the conditions for return in some cases appear to be abstract rather than concrete. The Panel believes that fairness to families and their children is important: Parents need to be presented with a clear direction as to how to achieve the physical return of their children, and this information needs to be communicated in meaningful, family-friendly way. Caseworkers and the courts have a duty to inform parents of the conditions of return for their children, ensure that they understand these conditions, and work with parents, not in opposition to them, to achieve reunification and permanency.

Based on feedback from Washoe County, the Panel understands that the intent of the updated NIA model in their region is to include conditions for return in court orders and documentation. As part of the response to these 2012 recommendations, the Panel would like clarification as to whether this will be implemented across child jurisdictions and judicial districts statewide.

Recommendation 5: DCFS should ensure consistent implementation of the updated NIA model in all child welfare jurisdictions statewide.

Discussion: The Panel understands that Clark County only recently agreed to adopt the updated NIA safety model, and that related training has commenced but is not complete. Consistent implementation of statewide practices has been a long-term and critical part of recommendations from the Panel across a variety of topic areas, particularly the child and family team (CFT) meeting process. Because the NIA model is intended to update casework practices in order to better assess safety, increase family engagement, and ultimately increase timeliness to reunification, the Panel believes this is a critical opportunity to bring the child welfare jurisdictions into better alignment with clearly defined policies, procedures, and casework practices. As part of the response to these 2012 recommendations, the Panel would like to receive an update on the completion of training in the Clark County region and the implementation of the updated NIA model in this region. Additionally, the Panel would like to receive an

update on the consistency of implementation across the rural regions, since they are geographically disparate and present challenges in terms of consistent staff and community resources.



NEVADA CITIZEN REVIEW PANEL

MEMORANDUM

DATE: December 6, 2011
TO: DCFS Decision-Making Group
CC: Amber Howell and Jan Fragale
FROM: Statewide Citizen Review Panel
RE: Recommendations for improvements to CPS overview and disclosure of parental rights information distributed within child welfare jurisdictions

The Statewide Citizen Review Panel (CRP) met in July to review the existing parental rights brochures distributed within the three primary child welfare jurisdictions by the respective lead agencies: 1) Washoe County Department of Social Services (WCDSS), 2) Clark County Department of Family Services (CCDFS), and 3) Division of Child and Family Services (DCFS) Rural Regional Offices. This meeting included an expanded workgroup with stakeholders from the following representation categories:

- Court-Appointed Special Advocates (CASA)
- Clark County Special Public Defender's Office
- DCFS
- Nevada State Public Defender's Office
- Parents with former CPS contact
- WCDSS
- Substance abuse treatment

The CRP respectfully submits the following recommendations for improvements to child protective services (CPS) overview and disclosure of parental rights information distributed within child welfare jurisdictions, as required by NRS 432B.190:

Readability, Distribution, and Language

1. CPS overview and parental rights information should be broken into two parts, with brief primary information first, and then more detailed follow-up information. The Panel members noted that most of the existing materials are too lengthy and unlikely to be read by parents upon first contact with CPS caseworkers, especially given the emotionally-charged circumstances of a CPS interaction. The members believe that brief information would be better received when initial contact is made, and should highlight key information needed in the first stages of a referral or investigation. This primary information brochure should be supplemented with a secondary brochure that contains more detailed

information about parental rights and responsibilities. Additionally, the Panel recommends that community providers who work with families should have copies of brochures available for distribution, in order to increase accessibility to parents. More specific recommendations for content within each of the two brochures are outlined below.

2. Information on parental rights should be provided and made clear at the point of initial CPS contact with biological parents, and repeated across the life of the case if children are removed from the home. This recommendation was made as part of the CRP’s 2010 Annual Report, and fits well with the proposal to distribute two brochures with primary and secondary information. The Panel noted in last year’s Annual Report that distribution of information was inconsistent in some areas of the state, and may only be provided upon initial contact in some cases. The members emphasized that the timing of communication and provision of information is important. The Panel recommends that parental rights information be proactively distributed and revisited as follow-up contacts are made with parents.

3. Parent-friendly language should be used that speaks directly to caretakers in a simple, considerate manner. The Panel members noted that some of the existing language in brochures may seem emotionally distant or condescending, and not address the difficulty of the circumstances surrounding potential removal of children from the home. The Panel recommends that the revised brochures use grammatical first-person or second-person language in order to create a more appropriate tone that creates the feeling of speaking directly to parents. For example:

More Distant	More Parent-Friendly
What rights do parents have?	What are my rights as a parent when my child is placed in out-of-home care?
A parent or guardian has specific rights including ...	If your child is placed in protective custody, you have the right to ...

4. Brochures should be made available in both English and Spanish. The Panel members noted the importance of providing information in parents’ language of origin.

Primary Brochure

The Panel recommends that the following questions be used to outline primary topic areas, with specific content as indicated:

When will I see my child?

As part of its 2010 Annual Report, the CRP recommended the inclusion of the following specific information about visitation rights:

1. NRS 432B.550 section 2(a): The parent retains the right to consent to adoption, **to determine the child’s religious affiliation and to reasonable visitation**, unless restricted by the court. If the custodian of the child interferes with these rights, the parent may petition the court for enforcement of the rights of the parent. [emphasis added]

2. Reduced visitation cannot be used as a punishment for positive drug screens. Parents with substance abuse disorders who attempt to engage in visitation while intoxicated may be denied same-day visitation, per statewide policy, but this does not affect future visits.
3. Family visitation with parent(s) is required in all out-of-home cases unless:
 - In cases of alleged sexual abuse, visitation is conducted in strict compliance with statewide practice guidelines such that visitation decisions are guided by a child therapist or expert evaluator, and visitation is done within the context of therapy and guided by a therapist or caseworker with knowledge in the field of child sexual abuse.
 - Parental rights have been terminated.
 - The Family Court has ruled that reasonable efforts are not required.
 - The whereabouts of the parent(s) are unknown.
 - The Family Court has deemed that family visits are not in the child(ren)'s best interest for reasons related to the child(ren)'s safety or well-being.

Will I get my child back?

The Panel members discussed the recent shift to the use of protective capacity language, supported by the Nevada Court Improvement Project (CIP) and the National Council of Juvenile and Family Court Judges (NCJFCJ). If new criteria are being used to determine whether parents can provide protective capacity for their children, as part of the revised safety assessment process, then these criteria should be made clear and understandable. Specific information about protective capacity requirements need to be explained within the primary brochure.

The Panel members also discussed the importance of focusing on reunification as a primary goal of CPS casework. Parents should be reminded that they are the caretakers of their child, and have specific rights and responsibilities toward retaining or restoring custody.

What if my child is Native American?

The Panel noted that some of the existing brochures do not provide information about the Indian Child Welfare Act (ICWA). The Panel believes it is important to address the needs of American Indian families, who are subject to different laws. Specific information about ICWA requirements needs to be provided within the primary brochure.

Who will take care of my child?

Specific rights retained by parents that may pertain to this section include:

- Preference for relative or fictive kin placements (NRS 432B.550).
- Right to make educational decisions (NAC 388.071 and Meyer v. Nebraska, 262 US 390 (1923)).
- Right to religious preference (NRS 432B.550).

How will I participate in making decisions?

Specific rights retained by parents that may pertain to this section include:

- Right to appeal a substantiation of abuse or neglect (NAC 432B.170).
- Right to legal representation (NRS 432B.420).
- Right to an interpreter (NRS 50.050).
- Right to choose participants in child and family team (CFT) meetings (DCFS Policy 0204 – Case Planning).
- Right to be present at court hearings that are open to the public (NRS 432B.430).
- Right to confidentiality of CPS case information (NRS 432B.280 and CAPTA Section 106, (b)(2)(B)(viii)).

When will I see the social worker and how do I contact them?

The Panel noted that some of the existing brochures do not provide contact information for child welfare agencies and service locations. Information should be provided as to how parents can contact their CPS caseworker and local child welfare offices. Additionally, the Panel recommends that an explanation be provided that caseworker transition might take place, such that the initial caseworker may differ from the ongoing caseworker.

What's next?

The Panel believes that this question should be used to create a transition to the secondary information brochure.

Secondary Brochure

The Panel recognizes that the child welfare jurisdictions have a duty to inform parents with specific disclosures of information, and there needs to be a balance between document length and required information. This secondary document can be used to meet these requirements, while still retaining a parent-friendly and meaningful approach. The Panel recommends that the secondary brochure outline the progress of an NRS 432B case, including a timeline and flowchart of case milestones that are clear to parents.

Follow-up Focus Group

The Panel recommends that the final draft versions of the primary and secondary brochures be presented to a focus group so that increased readability, appropriate rights information, and other improvements can be evaluated prior to finalization, printing, and distribution.

Follow-Up on 2011 CRP Recommendations

Follow-up on the 2011 Panel recommendations was based on formal responses from the DCFS Administrator, as follows:

Disclosure of Rights to Biological Parents

Recommendation 1: Itemized recommendations are contained in the memo to DCFS Decision-Making Group (DMG), dated December 6, 2011.

DCFS Response: The State recognizes the importance of having a new brochure that is more “parent friendly.” The Division of Child and Family Services (DCFS) agrees the current “Parent’s Guide to Child Protective Services” is lengthy and may not be read by parents upon first contact with Child Protective Service (CPS) caseworkers. DCFS was in the process of drafting a new brochure with language that was easier to understand and made the process of an investigation clear to families. Based upon this recommendation, Washoe County Department of Social Services (WCDSS), DCFS and Clark County Department of Family Services (DFS) agreed to use a contractor to review all materials provided to families at the onset of an investigation and develop a more concise brochure or one page overview. This overview will be provided to the CRP for review and comment prior to approval by the child welfare agencies.

As the State progresses in this endeavor, a potential barrier to this recommendation may be the ability to find the funds both for the initial costs of printing the brochures and the ability to sustain the ongoing printing costs of new brochures throughout the State. DCFS will explore finding options in an attempt to meet this recommendation, however, DCFS cannot commit to implementing a new brochure if funding is not available. In the meantime, The “Parent’s Guide to Child Protective Services” will continue to be given to parents who have their children removed from their home as it contains information on the court process, parent’s legal rights, relative and fictive kin care, Indian Child Welfare Act (ICWA), and conditions of return and visitation.

Recommendation 2: DCFS should establish a statewide policy that allows biological parents the right to medical participation and consent for their children’s healthcare services.

DCFS Response: The State believes this recommendation has been accomplished by the changes to policy, and the training of staff to ensure implementation. A statewide initiative was completed in October 2011 that addressed enhancements to the Statewide 0207 Health Services Policy and the Statewide 0209 Psychiatric Care of a Child Policy. These policies made significant changes to include: time frames for notification to parents of the need for medical appointments, their right to attend these appointments, and the right of parents to be legally responsible for treatment administered to their child. The policy is in compliance with the Nevada Medicaid Healthy Kids screening exam (EPSDT) and the Child Abuse Prevention Treatment Act (CAPTA). In addition, the 2011 legislature enacted Senate Bill 371, which requires the nomination and appointment of a Person Legally Responsible (PLR) for the Psychiatric Care of a Child. The 0209 Psychiatric Care of a Child Policy to address this new legislation. This policy, in accordance with the law, requires that the parent be the PLR and attend all appointments

and provide informed consent for all medications and services which addresses the psychiatric care and treatment of their child while in foster care.

Child and Family Team (CFT) Meeting Process

Recommendation 3: In conjunction with the CFT training being developed by DCFS as part of the current program improvement plan (PIP), the child welfare jurisdictions should ensure that CPS caseworkers conduct CFT meetings in a manner that is consistent with policies and practices within their jurisdiction, and with the related statewide policy included in DCFS Policy 0204.5.9. Beyond initial training, manager and supervisor oversight should ensure that the CFT process is promoting effective communication and that stakeholders are working together to address the needs of children and families.

DCFS Response: The State agrees with this recommendation and all three child welfare agencies (WCDSS, DCFS and DFS) are implementing changes to meet this recommendation. The three child welfare agencies have adopted practices more restrictive than statewide policy requiring CFT's. WCDSS supports the concept and implementation of CFT meetings. Their only exception to this is due to an initiative funded by the Children's Bureau and currently being implemented in WCDSS. This initiative uses two promising practices: Safety Assessment Family Evaluation and Family Connections (SAFE-FC). The philosophy of the combined model is that the relationship between the primary worker and the parent is the catalyst for behavior change resulting in children remaining (or reunifying) safely at home. The SAFE-FC practice assists the CFT's in becoming meaningful to the family, supportive of the family's identified needs, and directed at improving communication between family and agency to improve family outcomes. DFS is currently piloting a specific, evidence-based CFT model, Team Decision Making, for holding meetings with the parent within 48 hours of a removal. In addition, DCFS is progressing in its implementation of the safety model, Conditions of Return. This part of the safety model is specific in what needs to change in order for a child to be returned back to their parent and assists in giving the family and worker specific guidelines to ensure families are having effective CFT's.

Biological and Foster Parent Engagement

Recommendation 4: Confidentiality of biological parent information needs to be maintained during CPS casework, in compliance with Nevada Revised Statutes (NRS) and the Child Abuse Prevention and Treatment Act (CAPTA). Disclosures to foster parents and other stakeholders need to be made only when appropriate to the case plan development and progress monitoring.

DCFS Response: The State believes that this recommendation is being addressed. The State understands this recommendation to be specific to confidentiality of biological parent information and disclosures to foster parents and other stakeholders need to be made only when appropriate to the case plan development and progress monitoring. The State acknowledges that this is an area that needs consistent reminders, and monitoring by supervisors to their agency staff and must be held accountable for releasing information that should not be released. Core Training currently addresses confidentiality issues for new workers and will be offering refresher Core training for supervisors and to seasoned case worker staff that addresses confidentiality issues in order to ensure confidentiality is maintained for families.

Special Considerations for Relative Placements

Recommendation 5: DCFS should move forward with developing an alternate, or supplementary, training targeted for relatives who serve as foster parents.

DCFS Response: The State believes this recommendation is being accomplished through the training provided to foster parents, relatives and fictive kin. The child welfare agencies offer training for relative and fictive kin separate from the regular foster care training in order to expedite the licensing process. In addition, there are mandates that all licensed providers, whether they are foster care, relative or fictive kin complete extra training hours each year in order to maintain their licensure. These trainings can be obtained through various foster care websites, through reading material and videos. Also, advanced training is offered by the child welfare agencies. These trainings are geared to addressing specific issues related to the interaction of biological parents and relative or fictive kin caregivers.

Meeting Dates and Activities

During 2012, the Statewide Panel members met five times to conduct the business of the group.

<i>Meeting/Activity Date</i>	<i>Topics</i>
February 7, 2012 <i>Policy and Procedure Review Meeting</i>	<ul style="list-style-type: none"> • Safety model: Presentation on new practice model for rural child welfare jurisdictions, including updated Nevada Initial Assessment (NIA) training and safety model changes
June 12, 2012 <i>Policy and Procedure Review Meeting</i>	<ul style="list-style-type: none"> • Parental rights: Response from DCFS Decision-Making Group (DMG) regarding CRP parental rights recommendation memo • Review of updated policies for NIA safety model
July 10, 2012 <i>Policy and Procedure Review Meeting</i>	<ul style="list-style-type: none"> • Formal review and discussion of DCFS response to CRP 2011 Annual Report recommendations • Safety model: Follow-up discussion on policies for NIA safety model including criteria for return of children and safety plan determination meeting implementation
October 2, 2012 <i>Policy and Procedure Review Meeting</i>	<ul style="list-style-type: none"> • Family engagement: Presentation on family engagement training through the Wraparound In Nevada (WIN) Program • Family engagement: Presentation on family engagement training implemented as part of the PIP through the Nevada Partnership for Training (NPT) • Foster parent engagement: Presentation on Quality Parenting Initiative (QPI) model for foster care training • PIP update: Permanency case review outcomes • Safety model: Follow-up discussion on policies for NIA safety model • Visitation: Update on child welfare jurisdictions' promotion of contact and visitation for non-offending biological parents • Parental rights: Progress on draft documents for updated parental rights brochures
December 4, 2012 <i>Panel Meeting</i>	<ul style="list-style-type: none"> • Update on activities of the Statewide Children's Behavioral Health Consortium • Update on activities of Northern and Southern Citizens Advisory Committees (CACs) • Review and finalize 2012 Annual Report draft • Parental rights: Review primary parental rights brochure draft • Discuss 2013 workplan

APPENDIX A: OVERVIEW OF THE NEVADA CITIZEN REVIEW PANELS

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 (CRP) 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 CRP 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:
 1. Review of the extent to which the State CPS system is coordinated with the Title IV-E foster care and adoption assistance programs.
 2. Review of child fatalities and near fatalities.

Although the review of child fatalities and near fatalities falls within the scope of responsibilities for the CRP, the Panel does not review any child death cases because Nevada has a well-established child death review (CDR) process with existing regional CDR teams that review child deaths in accordance with Nevada Revised Statutes (NRS) 432B.403 – 4095.

State Requirements

As part of the CAPTA requirements, states are required to codify CRPs 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 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 CRP 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.**

Statewide Citizen Review Panel

The Statewide 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 Statewide Panel consisted of a maximum of 12 members appointed by the Administrator of the Division of Child and Family Services (DCFS), whose designee serves on the Statewide Panel. The group included representation from a variety of State and County agencies, community organizations, and professional backgrounds. Membership categories for the Statewide 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 Statewide 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, mental health and

substance abuse treatment, and professional medicine. As a result, Statewide Panel members from State and County agencies were asked to begin serving in an advisory capacity to the group. This change was made in 2003 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 Statewide 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 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 Statewide 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 Statewide Panel works toward fulfilling the following three primary goals:

1. Reviews the State's implementation of previous CRP recommendations.
2. Participates in ongoing policy and procedure reviews, and targeted case reviews.
3. Considers and implements new areas of subject review within the CAPTA Assurances, Section 106.

In essence, the Statewide Panel's work consists of the review of internal policies and procedures within the CPS system, accomplished through individual CPS case reviews. Each year, the Statewide Panel's findings are summarized in an Annual Report (this document) submitted to the federal government as part of the CAPTA requirements.

Northern and Southern CACs

Background: Required Expansion of Nevada Citizen Review Panels

CAPTA requires each state that receives the Basic State Child Abuse and Neglect State Grant in excess of \$200,000 to have a minimum of three CRPs. Nevada began receiving more than this amount in 2006 through grant adjustments, and will probably continue to receive more than this amount in the future. Therefore, it was necessary that Nevada expand the number of CRPs to three in order to come into compliance with the federal requirements. According to CAPTA, Section 106, CRPs may function as part of other committees already in existence. Nevada's existing group, the Statewide Panel, has been established since 1999 per the above overview.

The CJA Task Force met in December 2005 to review and approve a proposal from DCFS for the expansion of CRPs in 2006. Upon review, the Task Force recommended that DCFS invite the existing Northern and Southern Child Welfare Citizens Advisory Committees (CACs) to serve as the second and third CRPs. The CACs currently operate at the County government level in Washoe and Clark Counties.

During the first half of 2006, staff conducted preliminary discussions with the chairs of these two groups, and a formal letter was issued by the DCFS Administrator in May 2006, inviting each of the CACs to serve as CRPs. A meeting was held between staff and the CAC Chairs in August 2006 to formalize the plan for inclusion of the Northern and Southern CACs in Nevada's CRP process. Approval to join as a CRP was given by the Northern CAC in late 2006, and by the Southern CAC in early 2007.

Each of the CACs has re-focused some of its goals and workplans to begin developing recommendations for system change that can be incorporated into the statewide CRP process. Both CACs currently review areas of focus mandated for CRPs through CAPTA, which is a primary reason the CJA Task Force recommended their inclusion. Because the CACs are more closely tied to the CPS agencies in the north and south, which are the state's two largest population centers, they are ideally positioned to provide additional recommendations for system improvement in Washoe and Clark Counties. The Statewide Panel will maintain its broader focus, continuing to examine CPS across the entire state, while the CACs will be able to provide a deeper look at the CPS system through their respective ties to the county child welfare agencies. This will present new opportunities to make recommendations for more locally-focused system change that will rise up to the State level. This will also increase State and regional collaboration so that necessary changes can be actively addressed.

APPENDIX B: OVERVIEW OF THE STATE CHILD WELFARE SYSTEM

Statewide Integration of Child Welfare

Prior to 2001, the child welfare system in Nevada was bifurcated between State and County agencies as a result of State law. Under Nevada Revised Statute (NRS) 432B.325, the law required that counties in which the “population is 100,000 or more shall provide protective services for the children in that county and pay the cost of all those services.” In Nevada there are two counties that meet this criterion: Washoe County in northern Nevada and Clark County in southern Nevada. As a result, there are three separate agencies that provide child welfare and child protective services (CPS):

1. State of Nevada Division of Child and Family Services (DCFS)
2. Washoe County Department of Social Services (WCDSS)
3. Clark County Department of Family Services (CCDFS)

Originally, these agencies worked together through the CPS Statewide Managers Team, also known as the Nevada Child Protection and Permanency Planning Team. This team collaborated on pertinent law, regulation, and policy issues necessary to maintain statewide consistency for investigative and casework practices. The CPS Statewide Managers Team assisted with the development and oversight of the Child Abuse Prevention and Treatment Act (CAPTA) Basic State Grant.

The child protection agencies conduct child abuse investigations and may take children into protective custody and place them in licensed foster homes. Bifurcation occurred when the County child protection agencies transferred long-term or other foster care or potential adoption cases to the State via DCFS. Children were transferred from their initial CPS placement in the County to the State agency’s licensed foster care home. The transfer included changes in social workers, court process, and service delivery systems.

However, during 2001, the Nevada State Legislature passed Assembly Bill (AB) 1 of the 17th Special Session, which provides for the integration of State and local child welfare services. This bill was intended to end the practice of transferring cases from the Counties to the State, thereby reducing the number of changes in placement for a child in protective custody. Integration means that the two larger Counties will incorporate the previously separate child welfare functions of foster care and adoptions into one continuous system of child protection. The following are directives of AB 1:

- Transfers certain duties of the Division of Child and Family Services (DCFS), under the Department of Human Resources (DHR), to agencies of Washoe and Clark Counties.
- Establishes a Legislative Committee on Children, Youth, and Families to oversee the system transition.
- Makes appropriations to fund the transition between State and County agencies.

The implementation of this transition was completed in 2004. WCDSS began implementation in April, 2002, and completed its transition in January, 2003. CCDFS began implementation in October, 2003,

and completed its transition in October, 2004. DCFS remains responsible for supervising and administering child protective and child welfare services in the remaining 15 rural counties. The integration of child welfare services in the two urban counties is intended to accomplish the following:

- Begin to eliminate the inefficiencies of the current system by reducing the number of placements of children in foster homes.
- Decrease the length of time that children remain in out-of-home care and ensure that children are placed in permanent homes as soon as possible.
- Establish rates for foster care reimbursement at a level that enables a provider of foster care to care for a child adequately. Rates should be standardized within each county and structured in a manner that avoids any unnecessary interruptions in foster home placements because of changing levels of reimbursements.
- Establish as a priority the fairness to employees affected by the integration of the child welfare system.
- Establish that DCFS and counties whose population is 100,000 or more have a shared fiscal responsibility for the costs of providing child welfare services, must be committed to ensuring through negotiation in good faith future maintenance of their efforts in providing these services, and must equitably share future costs for providing these services.
- Establish that integration of the child welfare system in Nevada will allow the placement of children in a child welfare system that is adequately funded and structured to avoid unnecessary interruptions in placement and will ensure that permanency is achieved for children in accordance with federal and state laws.

Subsequent to the integration of child welfare services within Washoe and Clark Counties, DCFS has moved into a new supervisory role for county-administered child protective and child welfare services. Supervision within the larger counties is being accomplished in a number of ways, including the development of a Decision-Making Group (DMG) comprised of the DCFS Administrator, DCFS Deputy Administrators, and the Counties' Child Welfare Agency Directors. This group was originally formed to address the findings of the Child and Family Services Review (CFSR), which include the determination that Nevada lacks standardized statewide policies.

Historically, each of the state's three regional service areas (north, south, and rural) operated independently and were allowed to develop and implement regionally-based policies. Additionally, during the integration process, Nevada had not previously clarified the roles of the State and Counties, and so the State has not been viewed as the accountable supervisory authority for child welfare service delivery.

Based on this, a collaborative Policy Development and Approval Process was established under the Program Improvement Plan (PIP), which responded to the CFSR. Collaborative Policy Teams have been established and are comprised of representatives from each regional service area, along with select internal and external stakeholders as needed. Each Policy Team may include subject matter experts, consumers, managers, supervisors, trainers, and community partners. The role of the Policy Team members is to conduct research, provide content expertise, and develop draft policies that are provided to the DMG for final policy approval.

The Policy Teams are assigned specific activities in order to provide structure for the policy development process. Specific activities of the teams typically include the following:

- Review existing policies and procedures, comparing them to applicable federal regulations, Nevada Revised Statutes (NRS), and Nevada Administrative Codes (NAC); identify how the policies can be standardized and reflective of nationally recognized best practices.
- Develop new policies and where appropriate and include practice guidelines (field guides or practice manuals) to accompany each new policy developed. Streamlining documentation will be analyzed with each new policy developed.
- Present each new policy to the Decision-Making Group for approval. The Decision-Making Group will review all drafts submitted by the Policy Teams and will make recommendations for revision, or finalize and approve each new policy. The Decision-Making Group will provide oversight for the direction and implementation of the approved policies, and relevant procedures and practice guidelines linked to new policies.
- The Decision-Making Group will direct the Policy Teams to respond to any policy refinement needs discovered through the continuous quality assurance and improvement process.

Stakeholder involvement in policy development has also been promoted as part of the plan strategies developed through the PIP and the DCFS five-year plan. This includes collaboration with internal and external stakeholders across all program areas in the development of statewide policies, in order to improve safety, permanency, and wellbeing outcomes for children in Nevada.

Substitute Care – Foster Care

The authority for the substitute care program is delegated to the Division of Child and Family Services (DCFS) by Nevada Revised Statute (NRS) 432.020, which establishes the Division’s responsibility to support and maintain children placed in its custody, and NRS 432.032, which provides authority to adopt program regulations. NRS 432B.180 establishes the duties of DCFS including the requirement to plan, coordinate, and monitor the delivery of child welfare services provided throughout the State. NRS 432B.190 requires the Division to adopt regulations for the provision of child welfare services, including the following:

- Protection of the legal rights of parents and children.
- Emergency shelter for a child.
- The prevention, identification, and correction of abuse or neglect of a child in residential institutions.
- Evaluating the development and contents of plans submitted for approval under NRS 432B.395, which pertains to efforts to prevent or eliminate the need for removal of children from their homes, and to facilitate a safe return to homes where removal is necessary.

Substitute care is a family-focused service that provides for the temporary care of children in need of protection. Its services are aimed at changing behaviors in parents that have resulted in child maltreatment leading to out-of-home placement. The Division returns children who have been removed and may be safely restored to their families through the provision of services to the child and family. When reunification is not possible, the Division seeks alternative permanency options which best suit the child’s needs. Specifically, the Division provides assessment and comprehensive case management services that support the child, the parents, and the caregivers.

The continuum of out-of-home care services includes emergency shelter care, foster family care (including placements with relatives), group home care, therapeutic foster care, respite care, residential treatment care both in and out of state, and independent living services. The Division emphasizes the safety and wellbeing of children, recognizes the family as the fundamental foundation of child rearing, and acknowledges the importance of a comprehensive, community-based, child-centered, family-focused, and culturally competent teamwork approach.

The Division believes families offer children and young adults opportunities for permanency and family relationships that are intended to last a lifetime. Permanency affords the stability and security that children must have for building competency and self-reliance and for maximizing their cultural and spiritual growth. The Division supports collaborative efforts in every community to help assure permanence in the lives of all children.

DCFS began major child welfare reform in 1992 with the commitment to move from a protective authority to a family-centered approach in casework. The first phase was the adoption of a training series for social workers that incorporates the philosophy and principles of family-centered practice in the four major casework areas:

1. Child protective services (CPS)
2. Adoption
3. Foster care
4. Child welfare

In 1994, the second phase of this initiative included the creation of the Foster Care Statewide Steering Committee to address professionalization, training, and retention of foster caregivers. The goal was to improve the quality of foster care by means of a family-centered approach with foster caregivers. The yearlong efforts of this task force and its three subcommittees resulted in a number of improvements within foster care. These included the following:

- Implementation of a 36-hour pre-service foster parent training curriculum
- Involvement of foster care providers in case planning
- Promotion of the development of a Foster Parent Bill of Rights

To continue the efforts of this initiative and to address the quality of care standards required by the Adoption and Safe Families Act (ASFA), DCFS formed a Quality of Care Standards (QCS) Statewide Task Force. The Task Force reviewed current standards and suggested additional standards to improve services and practices. The QCS Task Force was composed of child welfare managers, supervisors, social workers, specialists, foster care providers, and representatives from County social services. The Task Force represented Nevada's three geographic regions: north, south, and rural. Five areas were addressed by the Task Force:

1. Foster care licensing
2. Training
3. Retention and support
4. Quality of care for foster children
5. Professionalization of foster caregivers

After an initial review and recommendation report was developed, the QCS Task Force membership was dissolved into other groups that continue to evaluate the five areas outlined above and to recommend ways to improve the delivery of services and quality of care for children in foster care.

Specific to the training implemented by the Task Force, Nevada adopted a 36-hour pre-service training curriculum in 1997, which is required of all potential foster and adoptive families. The training is designed to provide families with knowledge and skills that can greatly contribute to their success. Some families will decide that foster care and/or adoption is not for them, while others will begin to gain an understanding of the role of their family and how additional children can enhance their family life.

The northern and southern regions have trainers on staff who provide the 36-hour pre-service training. The rural region contracts out to a local provider to recruit and train foster homes, using the same pre-service curriculum. This is an established curriculum developed by the Institute for Human Services in Columbus, Ohio, which is widely considered to be state-of-the-art training.

Beginning in 2002, since the implementation of the integration of child welfare services in Washoe and Clark Counties, the training now varies by region in terms of hours required and curriculum content, ranging from approximately 22 to 36 hours. However, since only eight hours are required by law, the regional training requirements significantly exceed the minimum established requirements.

APPENDIX C: PANEL MEMBERS

Statewide CRP Members

<i>Member</i>	<i>Affiliation</i>	<i>Representation/Region</i>
Chris Bayer	CASA of Carson City	CASA – Rural Region
Jackie Harris	Bridge Counseling Associates (BCA)	Substance Abuse and Mental Health Treatment – Southern Region
Kelly Jesch	Washoe County School District (WCSD)	Education – Northern Region
Jeanne Marsh	Northern Citizens Advisory Committee (CAC)	Child Protective Services – Northern Region
Rota Rosaschi	Nevada Public Health Foundation	Children’s Health Care– Rural Region
Suzanne Wright	Division of Child and Family Services (DCFS)	Designated Representative for Division Administrator – Statewide, DCFS Central Office
VACANT	Southern Citizens Advisory Committee (CAC)	Child Protective Services – Southern Region

Advisory Staff

<i>Member</i>	<i>Affiliation</i>	<i>Representation</i>
Jan Fragale	DCFS – Family Programs Office	Child Protective Services – Statewide, DCFS Central Office
Lisa Ruiz-Lee	Clark County Department of Family Services (CCDFS)	Child Protective Services – Southern Region
Kevin Schiller	Washoe County Department of Social Services (WCDSS)	Child Protective Services – Northern Region
Andrew Zeiser	CRP Coordinator	DCFS Central Office

Northern CAC Members

<i>Member</i>	<i>Affiliation</i>	<i>Representation</i>
Eric Beye	Washoe County School District	School District
Frank Cervantes	Washoe County Department of Juvenile Services	Juvenile Probation
Denise Everett	Quest Counseling and Consulting, Inc.	Substance Abuse Service Agency
Stuart Gordon	Family Counseling Services of Northern Nevada	Agency Serving Low Income Individuals
Crystal Hallock	TruVista Mentor Moms Program	Parent Advocate
Mary Herzik	CASA of Washoe County	Court-Appointed Special Advocates
Shirley Luke	The Robison House	Children's Mental Health
Jennifer Lunt	Washoe County Alternative Public Defender's Office	Attorneys Representing Parents
Sherri Rice	Access to Healthcare Network	Advocates for Health Care for Low Income Families
Amy Saathoff	Committee to Aid Abused Women	Domestic Violence Service Agency
Karen Sabo	Washoe Legal Services	Attorneys Representing Children
Mary Sondgrath	-	Foster Parent

Southern CAC Members

Due to turnover in Southern CAC membership and leadership during 2012, no updated membership information is available for this calendar year.