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## WISCONSIN LEGISLATIVE COUNCIL

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### STRENGTHENING WISCONSIN FAMILIES

Holy Redeemer Education Complex  
Symposium Room  
Milwaukee, Wisconsin

April 2, 2009  
2:00 p.m. – 7:20 p.m.

[The following is a summary of the April 2, 2009 meeting of the Special Committee on Strengthening Wisconsin Families. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

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#### Call to Order and Roll Call

Co-Chair Taylor called the meeting to order. The roll was called and it was determined that a quorum was present.

**COMMITTEE MEMBERS PRESENT:** Sen. Lena Taylor, Co-Chair; Rep. Tamara Grigsby; and Public Members Jon Angeli, John Burgess, Gary Erdmann, Undraye Howard, Wanda Montgomery, Terence Ray, Lucille Rosenberg, and Mary Jo Tittl.

**COMMITTEE MEMBERS EXCUSED:** Rep. Steve Kestell, Co-Chair; Sen. Dale Schultz; and Public Members Sheryl Albers, Debra Fields, and Jack Westman.

**COUNCIL STAFF PRESENT:** Anne Sappenfield, Senior Staff Attorney; and Jessica Karls, Staff Attorney.

**APPEARANCES:** Paul Stuibler, Deputy State Auditor for Program Evaluation, Legislative Audit Bureau (LAB); Dean Swenson, Program Evaluation Director, LAB; and John Touhy, Deputy Administrator, Division of Safety and Permanence, Department of Children and Families (DCF).

**OTHERS PRESENT:** Julie Brown, Milwaukee Child Welfare Partnership for Professional Development; Lue Burgos, Milwaukee; Susan Conwell, Kids Matter; Tyrone Dumas, MPS Community, Milwaukee; Nikiya Harris, West Allis; Janie Hatton, Milwaukee; Ester Hodges, Milwaukee; Dennis Oulahand, MTEA President, Milwaukee; Jermaine Reed, Fresh Start, Milwaukee; Tiffany Stark, Intern of Rep. Tamara Grigsby, Milwaukee; Martha Wheeler-Fair, Milwaukee; Minister Georgia Wright, Milwaukee; and members of the Youth Advisory Council.

## **Approval of the Minutes of the Committee's March 3, 2009 Meeting**

*Mr. Angeli moved, seconded by Senator Taylor, to approve the minutes of the March 3, 2009 meeting. The motion was adopted unanimously.*

### **Discussion of Committee Assignment**

#### **WLC: 0416/1, Relating to Creating Bills of Rights for Foster Children and Foster Parents**

Anne Sappenfield explained WLC: 0416/1, relating to creating bills of rights for foster children and foster parents. She described the contents of the bills of rights. She noted that a foster child or foster parent must receive a copy of the bill of rights and that the bill of rights must be explained orally to a foster child.

Ms. Rosenberg noted that some of the items could be grouped together in the bills of rights.

Co-Chair Taylor indicated that having the opportunity to learn basic skills, such as washing clothes, could be included in the bill of rights for foster children. She also asked whether a bill of rights for biological parents would be appropriate.

Ms. Montgomery suggested that the bill draft include the activities that are already being offered by local agencies.

Mr. Angeli said that a large part of the issue is inspiring case managers to involve foster parents.

Mr. Ray asked about evaluations of foster parents and whether older foster children should be permitted to review at least a summary of any evaluations.

Ms. Tittl stated that foster parents should be explained the bill of rights orally, as well.

Mr. Erdmann indicated that an opportunity to request a change in placement should be included in the bill of rights for foster children.

Co-Chair Taylor asked that Mr. Erdmann provide the bill draft to members of the Milwaukee Youth Advisory Council for additional input.

Mr. Howard suggested including respite support for foster parents in the bill of rights for foster parents.

Co-Chair Taylor recommended that phone numbers be available in the bill of rights for foster children so that they know how to report concerns they have.

Ms. Tittl noted that foster children should be taught how to manage personal finances.

Ms. Montgomery stated that some agencies have assisted children in getting into college and that the caseworker's role includes assisting children in getting financial assistance to apply for college.

Ms. Rosenberg suggested that the provision regarding access to information regarding educational options be provided to children 14 years of age or older, not 16 years of age or older, as in the bill draft.

Mr. Erdmann described the financial aid that is available to former foster children.

**WLC: 0417/1, Relating to Training for Foster Parents**

Jessica Karls explained WLC: 0417/1, relating to training for foster parents. She explained that all foster parents and treatment foster parents would be required to complete training under the bill draft and described the specific information that the training must include. She also noted that the 2009-11 Executive Budget Bill contains a similar provision relating to training for foster parents.

Mr. Erdmann stated that relative caregivers should be required to undergo the training. Mr. Angeli suggested that requiring training for relative caregivers may raise issues because they frequently have extensive experience raising children.

Ms. Rosenberg agreed that all foster parents should be required to undergo training, and she noted that training should be ongoing.

Ms. Tittl noted that other types of support exist in the community and that the use of all resources should be encouraged. She stated that pre-placement and ongoing training should be required.

Mr. Ray said that the training, especially for relatives, should not be described as “parent” training.

**WLC: 0424/P1, Relating to Extended Court Jurisdiction for Certain Foster Youth Under the Age of 21 Years**

Ms. Sappenfield explained WLC: 0424/P1, relating to extended court jurisdiction for certain foster youth under the age of 21 years. She explained that the bill draft permits certain foster youth who are in foster care when they reach the age of 18 to request an agency to petition the juvenile court to extend juvenile court jurisdiction until the foster youth reaches age 21. She noted that the list of criteria for extending court jurisdiction comes from the federal Fostering Connections to Success Act of 2008.

Co-Chair Taylor stated that a foster child and foster parent would have to agree to continue the extension.

Ms. Tittl asked whether a foster youth over the age of 18 years would be able to terminate the extension.

Ms. Montgomery suggested that the committee not be too prescriptive in what is required for the extension.

Mr. Angeli noted that additional costs will become the county’s responsibility and that many counties already provide additional services.

**Presentations by Invited Speakers**

**Paul Stuiber, Deputy State Auditor for Program Evaluation, LAB**

Paul Stuiber explained that the LAB released two audits regarding child welfare services by the Bureau of Milwaukee Child Welfare (BMCW) in February 2006. He noted that he would provide the committee with Internet links to the audits.

**Dean Swenson, Program Evaluation Director, LAB**

Dean Swenson began his presentation by describing the process by which the audits of BMCW were conducted by the LAB. He noted that BMCW began administering the child welfare program for Milwaukee County as a result of a 1993 lawsuit that alleged that the state failed to oversee Milwaukee County's child welfare program adequately. The lawsuit's settlement agreement created 14 performance standards that BMCW was to meet.

Mr. Swenson then described the results of the audits of BMCW based on BMCW's performance through June 2005. He explained that BMCW met eight of the 14 performance standards. Recently, BMCW reported that five performance standards were still unmet. Mr. Swenson described the five unmet performance standards in detail and why the standards remain unmet.

Mr. Swenson explained that the settlement agreement included an additional 10 monitor-only standards. He described one of these standards, the rate of staff turnover, in detail. He noted that for four of the 10 standards, BMCW's performance has improved. He also discussed audit results relating to the reasonableness and appropriateness of costs that contractors charged the Department of Health and Family Services (DHFS) for services related to the child welfare program, which found instances in which the DHFS was overcharged. Lastly, he indicated that DCF must make additional efforts to ensure the safety and care of children in the child welfare system.

**Discussion of Committee Assignment**

Co-Chair Taylor described the handout titled "Recommendations from Frontline Providers" that committee members received. The handout describes recommendations regarding the child welfare system, separated into categories. She asked that those in attendance at the public hearing review the handout and mark the issues that are most important to them and add any issues that were not listed.

**Presentation by Invited Speaker**

**John Touhy, Deputy Administrator, Division of Safety and Permanence, DCF**

John Touhy began his presentation by reacting to the bill drafts discussed by the committee. For WLC: 0424/P1, he noted that DCF is supportive in concept of extending foster care to age 21. He noted that children in Illinois have the option of staying in foster care until age 21. He asked what the role of the court would be in extended foster care. He also mentioned that under federal law, the extended foster care must be court-ordered.

For WLC: 0416/1, Mr. Touhy noted that DCF has a foster parent handbook. He mentioned the challenge with balancing the rights of foster parents with the rights of biological parents. For WLC: 0417/1, he noted that a similar provision is in the 2009-11 Executive Budget Bill. He stated that foster parent training is mandatory for BMCW and encouraged in other counties. He described the efforts of DCF's foster parent training committee.

Mr. Touhy described the financial and program audit of BMCW, conducted by the LAB in 2005. He stated that some of the recommendations have been implemented. The changes have addressed issues such as staff turnover and the method of funding the safety services program.

Mr. Touhy explained several provisions in the 2009-11 Executive Budget Bill regarding foster care. The budget bill increases the foster care rate and includes a requirement for foster parent training. It provides more funding for the foster care and adoption resource center. It establishes a new levels of care structure for foster care licenses, brings in relative caregivers, and creates tiers in treatment foster care.

Lastly, Mr. Touhy stated that a national consultant is conducting a comprehensive assessment of the child welfare system in Milwaukee County this spring and that the report will be completed in June.

### **Public Hearing on Issues Related to the Child Welfare System in Milwaukee County, Foster Care, and Training for Foster Parents**

The committee held a public hearing on issues related to the child welfare system in Milwaukee County, foster care, and training for foster parents. The testimony from the public hearing included testimony on the following issues:

- Bills of rights for foster children and foster parents.
- Training for foster parents, including the training provided by the Milwaukee Child Welfare Partnership for Professional Development.
- Training for foster children.
- Extending foster care to age 21.
- Stabilizing education for foster children, including coordination and collaboration between the child welfare system and the school system.
- Other models of education for children, including boarding schools.
- Requiring experience as a foster parent before becoming a treatment foster parent.
- Recognition of siblings as relative caregivers.
- Employment of foster children, including summer employment.
- Personal experiences with the child welfare system in Milwaukee County.

### **Adjournment**

The meeting was adjourned at 7:20 p.m.