

This meeting was not recorded.

2/24/2023

Act 264 Board & Child and Family State Program Standing Committee Minutes

DRAFT

Section 1: Act 264 Board

Present Members: Alice Maynard Cinn Smith, Co-Chair Megan Martin Matt Wolfe, Co-Chair Kristin Holsman-Francoeur

Heather Freeman Doug Norford

DMH/State Staff: Joanne Crawford Cheryle Wilcox Puja Senning

Public: Laurie Mulhurn Ron Bos Lun Ward Nial Joe Brusatto Liana Redmond Sandy Yandow Sang Pham

Agenda Item	Discussion (follow up items in yellow) 4 members needed for a quorum vote
Opening and Act 264 Business	Meeting convened at 9:30am. Introductions and timekeeper determined.
Review Jan 2023 meeting mins Set March Agenda - 9:35 Chris Allen – 988 Update - Timing TBD Cheryle Wilcox – SIT Update - 12:30 – 1:40 NCSS QnA Discuss meeting in person 2x / year	March Agenda Items: <ul style="list-style-type: none"> o 9:35 Chris Allen – 988 Update o Timing TBD Cheryle Wilcox – SIT/Interagency Update o 12:30 – 1:40 NCSS QnA – Children’s SPSC o Discuss Act 264 Co Chair positions o Discussed recruitment for the committees o Discuss meeting in person 2x/year o Discussion on 2023 System of Care plan – 20 minutes <ul style="list-style-type: none"> ▪ Aspects members want to work on in 2024 ▪ Aspects members want edited out o Discuss Broken System, Broken Promises w/ DCF – [meet with Commissioner Chris Winters at some point in the future] Meet with Deputy Commissioner? Meet with Vermont Commission on Women, Beth Sausville– SIT Co-Chair and DCF representative Puja will set up meetings

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	<p>Puja will send out what positions are needed on the committee and send out the flier. Committee Members will work on targeted recruitment via email</p> <p>Motion to [approve the minutes]. Made by [Matt], seconded [Alice]. [vote results]. Motion passes.</p>
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Minutes respectfully submitted by Puja Senning, Quality and Program Participant Specialist

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Section 2: Act 264 Board and Child and Family State Program Standing Committee

Present Members: Alice Maynard Cinn Smith, Co-Chair Megan Martin Matt Wolfe, Co-Chair Kristin Holsman-Francoeur

Heather Freeman Doug Norford Laurie Mulhurn Ron Bos Lun Ward Nial Joe Brusatto

DMH/State Staff: Joanne Crawford Cheryle Wilcox Puja Senning Steve DeVoe

Public: Liana Redmond Sandy Yandow Sang Pham

Agenda

Agenda Item	Discussion (follow up items in yellow) 6 members needed for a quorum vote
<p>DMH Commissioner Emily Hawes Update on Legislative session</p>	<p>Section convened at 10:00am.</p> <p>DMH Commissioner Emily Hawes did not make it to the meeting.</p> <p>Discussion on Broken System, Broken Promises</p> <ul style="list-style-type: none"> - Report was not surprising to members, given previous experience working with DCF system, foster families, personal experiences, etc. - Members agreed that the recommendations in the report ‘made sense’ - Alice suggested that changes would have to made via legislation – because decisions get made in a moment, which is how precedent and then policy is made - Alice would like to know how much weight Larry’s group’s recommendations will carry - Laurie – sees changes in administration and momentum as challenges – they weaken our ability to effect change – we need to keep our momentum going despite staffing changes, keeping action items on our agendas, squeaky wheel get the attention, the word is TENACIOUS - Alice: Which committees we may ultimately end up working with, and who w/in those committees <ul style="list-style-type: none"> • House Ethics Committees and Human Services? - Megean – tried to hire someone at the school and they were on this substantiation list – they had no idea – and no idea how to get off of it – people may not have the financial standing/access to legal services/knowledge of how to get off of it

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	<ul style="list-style-type: none"> • Maybe it's a House Ethics Committees issue - Megean is writing to VPR to get more press on this report and these issues - It was on WCAX and on VTDigger - Sandi Yandow – ask Larry if there's been a lot of press? He has worked in this for a while – would be good to get his take on who supported it and who did not - Matt – Regarding a legislative update – He's helped establish a Legislative Youth Council of <ul style="list-style-type: none"> • 28 youths total, it's a very very diverse group, across race, class, adoptees, new to Vermont, multi gen Vermonters • who are being solicited by legislators for their thoughts on pertinent issues, what they're concerned with, etc., and also these youth are tracking different legislative efforts • This is the most hope-filled and joyous thing Matt's done in a long time – reading these 200 applications for this council, youths have a lot to say about the social fabric, economic fabric, mental health, bullying, etc. • Once this committee starts influencing something, figuring out how they make decisions, how they advocate in the legislature, etc. once they've got their legs under them a bit more – they would really benefit from publicity - Alice – for many years have tried to get different departments to make their website post Consolidated Service Plans – maybe we send letters to each of the commissioners? <ul style="list-style-type: none"> • Matt's wondering if we're not poking the right person? Maybe ask the IT person? <p>Motion to [enter content]. Made by [name], seconded [name]. [vote results]. Motion [passes/fails].</p>
<p>Broken System, Broken Promises – report discussion with Larry</p>	<ul style="list-style-type: none"> - Bill – we understand that child abuse and neglect is real in VT, and all children have a right to be free from that, and also supports parents in often desperate conditions - Once in a while mistakes happen – these issues are systemic, even though good work is going on, hundreds of kids and families being harmed – the situation cries out for people to demand for change - We do recognize the need for a strong child protective system for both children and parents

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Crist and Bill Young	<ul style="list-style-type: none">- Haven't gotten anywhere with DCF, gotten to chat with every commissioner, dep. Commissioner (minus current new ones) – meet with them and then no action- Larry and Bill believe it's time for legislative action- There are a few lawsuits in the works- Alice: It's clear that they went for the balanced approach in the report, weren't trying to vilify DCF – trying to make us more just equitable logical and rational – why Alice pushed board to start working on this report, what actions can we take as an advisory board and committee?!- Bill – was a director for 15 years straight – in couple of years before he left and right after – almost every district director left – and so large amount of reorganization and change that happened relatively quickly – lost knowledge of how to organize the systems and the work- Alice (when Alice first joined state govt everyone wanted to be their own separate thing – and we can't afford that at this point) – also with covid and IT changes, we need to share what everyone has learned- Alice – what can we do w/ what we now know and the given challenges? really appreciated Bill and Larry's written responses to those first questions; we have follow up questions as well <ul style="list-style-type: none">• Given the existence and work of the Children's Justice Act Task Force and Larry's involvement with it, do you have an idea of when they might conclude their work?• Do you believe their final report/findings/recommendations will be as broad in scope as your organization's recommendations?• What type of "weight" will their findings carry?<ul style="list-style-type: none">○ Larry – that group snuck this issue into the agenda and said this is one of the key things VT should look at moving forward○ that group relied a great deal on the information I was presenting from the project○ there was a smaller subset w/ key ppl from DCF and the outside, and myself, we would bring these issues forward w/ the data – we asked our DCF subset - first of all do you believe this is the case – and they said yes – we do believe it's correct –○ how do we fix the problem? – the actual fixing of problem was left to me
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- these are state employees who are working in a system that is immune to change --- it's not a report from the Children's Justice Act Task Force – it's from the Vermont Parent Representation Center
- So it's an interesting position for the Children's Justice Act Task Force to make a formal stance on the report
- Larry doesn't think DCF will make a written response to this report
- All are waiting to see what happens with the report --- Larry thinks that with legislature bringing attention to it, DCF will be forced to make a statement on it
- The questions you pose are exactly what we need to do – we've asked those questions and they haven't answered them
- We told the feds we'd do it – we've done it and now the department has to respond to the feds
- There's no reason for DCF to give us answers w/o legislative pressure
- Brattleboro – extensive meeting raising 30 issues – DCF responded 3 months later saying 'we have a differing opinion' – and it's the job of your appointed attorneys to respond to these issues --- that's as far as the department has ever gone
- 2018 – when we presented the report, on 60 issues – only response from DCF is we've seen the report and we have a different opinion
- Bill – there is some weight to hearing from a variety of ppl , parents themselves, ppl interested in the system, you need to pay attention to this – it's real,
- no one source will tip the scales, but in totality may make a difference
- Bill: the more the Legislature hears from others, the more action that could be taken

- Given your opinion that legislative advocacy would be a productive path, which of your legislative recommendations would you advise us to prioritize?
- Do you have any suggestions on which legislators might be most helpful?
 - Larry: bill (H. 169) is currently in House Judiciary Committee; once committee announces they will be taking public testimony, he can send comments with the bill (bill is difficult to read, as written); the recommended follow up by the Board/Committee members is for each of their individual legislative representatives to discuss these issues
 - Many components of current system do not work (legal representation, lack of understanding of Act 264; substantiation process is an issue and there is data that corroborates this point

Commented [SP(1): What is the reference to the Feds? Was it a federally funded grant that supported the Vermont Parent Rep Center's writing of the report? Or of the Children's Justice Act Task Force?? Or grant money to DCF?

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	<ul style="list-style-type: none">○ Bill: 1) Legal System: only a handful of good attorneys who represent children/families well; overall, children/families lack sufficient legal rep○ Federal Title E4 Funding to improve legal representation (50/50 match) and discussion of Oregon/Washington examples; improved representation led to shorter custody length of stays○ 2) Current Vermont System: recommendation of changing the standards of evidence; establish registry of tracking abuse/neglect; recommendation of using a reasonable standard of evidence (versus a preponderance of evidence): would a reasonable person consider this abuse/neglect? The legal definition of abuse/neglect has changed and is subjective, based on who is reviewing the evidence; discussion about raising the standard of evidence and the process of substantiation <ul style="list-style-type: none">● Given your suggestion of involving the Vermont Commission on Women, do you have any suggestions on whom and how to best approach them?<ul style="list-style-type: none">○ Contacting other groups and discussion of substantiation process; examples: Vermont Women’s Commission; House Judiciary Committee-write letter (either individually or as a group) to advocate for passage of H. 169; contact your own senators/representatives to advocate taking up bill and for its passage; other follow ups: Senate/House Judiciary Committees, Senate/House Human Service Committees, Senate/House Appropriations Committees; Senate/House Government Operations; Legislature Social Equity Caucus (made up of 2 groups: legislature and other stakeholder organizations);<ul style="list-style-type: none">○ Megean M. provided link to draft H. 169 bill: Draft Bill Template (vermont.gov)○ Larry: recommendation of the need for oversight of system; presently, a lack of oversight that leads to systemic problems○ Bill – parents didn’t understand system of 2 tracks – 1 track) abuse and neglect and 2nd track) assessment of abuse/neglect,<ul style="list-style-type: none">- Bill was told by his contacts at DCF, tell the parents not to get upset at the social worker – they’ll get transferred over to the Abuse and Neglect track and they’ll get substantiated- Department has had bad cases, so, if in doubt they want to substantiate and cover their bases – that way if something bad happens to the kiddo, it’s not on DCF, and particularly,
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Commented [SP(2): Can anyone elaborate/clarity this 2 track system?

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	<p>the specific employee who made the call won't get fired over it (which they may get fired if something did happen based on their NOT substantiating someone)</p> <ul style="list-style-type: none">○ Larry: it's a big systemic issue, it's bigger than the substantiation piece, but currently DCF has 2 priorities that are in conflict w/ each other – to investigate times of abuse and neglect – and 2ndly, to encourage parents to enter services○ If anything happens to that child after you've done your investigation, then you're responsible, you'll lose your job if you made a wrong decision○ Currently DCF is supposed to protect children from ALL harm – only way to do that is to substantiate the parents -- Current DCF policy – if you're dizzy, in a car w/ your kids, you have to pull over and call someone for help – if you don't, that's abuse/neglect b/c you might've caused an accident and then harmed your kid --- this got extended to – if you think you may get sick/dizzy, you shouldn't drive your kids – bc you could again, cause harm to them○ We're asking DCF workers to be police officer and a social worker – at same time○ Investigators only find enough information to substantiate○ Investigations should be it's own entity – outside of DCF○ There's no one at the helm who's responsible for this○ It's whether district office liked or disliked the family also mattered– the worker would deal w/ the family – but it wasn't the workers opinion – it's the district offices opinion on the family –○ in many cases these employees are ill-trained and offered wrong incentives, and so when a family challenges them – that can cause worker to say, I fear for my life, or they're hiding something so I need to take the strongest position I have○ Families are scared of workers and vice versa○ Very much based on personalities○ If allegations of Domestic Violence, departments approach is per se – DV is child abuse – they won't be nice regarding the partner that has the allegation against them○ Cinn: I was a foster parent for 25 years and adopted a child w/ reactive attachment disorder, and I got substantiated at one point b/c based on what she was acting out, my consequence for her was considered emotional abuse – but they never took her out of my home – ever since investigation of that substantiation I haven't been a foster parent○ The thing we're missing in all this work – is the biggest trauma is the separation of these kids from their parents – I worry about the kids
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Commented [SP(3)]: This seems to contradict the point below about the specific worker making the call.. Can anyone clarify?

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- Larry: Cinn, that story is the story that the legislator needs to hear!
- We've closed our institutions and haven't backfilled w/ services as we said we would – and expect parents to fill all those roles
- Bill – we, w/ middle class values, cannot be making calls on abuse and neglect based on our idea that they're being bad parents – it has to be based on specific evidence, well established facts, --- not mold in a household (talk to slum lord)
- Sandy: used to talk about imminent risk of harm – has become 'risk of harm' --- definition has gotten looser, also reunification used to be the goal – and is not the current goal in Vermont, looking at Act 264 and coordinated service plans – DCF – what services can you bring these kiddos? And if you can't, get out of there
- Laurie: statistics of families w/ disabilities winding up in divorce – very high something like 80%, add relationship issues, home environment, school environment and the community – and then you're putting this on 1-2 people, saying nothing of their housing status/financial situation/education/mental health/disability issues
- Matt: having been working the system tangentially – appreciate Larry's comments about check and balance system that is no longer in place, this can be about personalities, very white middle class culture we're imposing, to Laurie/Cinn's recent points – as stress level goes up, your brain function goes down, you can't be creative, both the overworked, underappreciated, underpaid social worker- and the parents/families --- we must put the checks and balances back in place – that is the lever that we can move
- Alice- will try to get DCF to write down, do they support the recommendations
- Larry – will send documents to Puja and I'll distribute
- Laurie – curious about Vermont Legal Aid – Rachel Seleg – she's met w/ many times regarding her kids and their needs, and her experience of finding an attorney for their kids, so expensive, even the deposit, and usually families are in crisis at this point
- What kind of activity VT Legal Aid has w/ this sort of situation – their only priority is education for kids – per Cinn
- Alice: Narrow our focus and take a step – contacting legislative committees and promote this bill and zero in on DCF and get in touch w/ these other groups
- And Coordinated Service Plan – it makes ppl get together and think creatively around solutions, hopefully before crisis

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	Motion to [enter content]. Made by [name], seconded [name]. [vote results]. Motion [passes/fails].
11:55 – 12 Public Comment Period	

Minutes respectfully submitted by Puja Senning, Quality and Program Participant Specialist

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Section 3: Child and Family State Program Standing Committee

Present Members: Cinn Smith, Chair Laurie Mulhurn Ron Bos Lun Ward Nial Joe Brusatto

DMH/State Staff: Joanne Crawford Cheryle Wilcox Puja Senning

Public: Alice Maynard Megan Martin Matt Wolfe Kristin Holsman-Francoeur Doug Norford Heather Freeman Sang Pham

Agenda

- [enter CYFS SPSC portion here]

Agenda Item	Discussion (follow up items in yellow) 3 members needed for a quorum vote
<p>CYFS SPSC Committee Business</p> <p>Review NCSS documents and create questions for meeting with them at next month's meeting</p>	<p>Section convened at 12:30.</p> <p>Membership discussed questions that Ron had posed, and looked over NCSS documents and wrote additional questions.</p> <p>Puja will send Children's SPSC the Agency Review surveys – concern over language</p> <p>Motion to [enter content]. Made by [name], seconded [name]. [vote results]. Motion [passes/fails].</p>
<p>Close Meeting/Adjournment</p>	<p>[Content of discussion]</p> <p>Motion to adjourn meeting. Made by Cinn, seconded by Joe. [vote results]. Motion passes.</p> <p>Meeting ended at [enter time].</p>

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[screenshot any presentaitons shared and add to end of minutes]