

State of Delaware Child Protection Accountability Commission Quarterly Meeting Minutes

WEDNESDAY, NOVEMBER 9, 2016
9:00 AM – 12:00 PM – New Castle County Courthouse
500 King Street, 12th Floor, Wilmington, Delaware

Those in Attendance:

Members of the Commission:

Statutory Role:

Ginger Ward, Chair	Child Protection Community 16 Del. C. § 912(a)(16)
The Hon. Carla Benson-Green	Secretary of Services for Children, Youth and Their Families 16 Del. C. §912(a)(1)
Shirley Roberts	Dir., Div. of Family Services 16 Del. C. § 912(a)(2)
Susan Cycyk	Dir., Div. of Prevention of Behavioral Health Services 16 Del. C. § 912(a)(9)
Maureen Monagle	Chair of the Domestic Violence Coordinating Council 16 Del. C. § 912(a)(10)
LaKresha Roberts, Esq.	Two Representatives from the Attorney General's Office 16 <u>Del. C.</u> § 912 (a)(3)
The Honorable Joelle Hitch	Family Court <u>16 Del. C.</u> § 912(a)(4)
Neal Tash	Chair of the Child Placement Review Board
Susan Haberstroh	Designee for Secretary of the Department of Education 16 <u>Del. C.</u> § 912(a)(8)
Corporal Adrienne Owen	Designee for Superintendent of the Delaware State Police 16 <u>Del. C.</u> § 912 (a)(11)
Dr. Garrett Colmorgen	Chair of the Child Death Review Commission 16 <u>Del. C.</u> § 912(a)(12)
Jennifer Donahue, Esq.	Investigation Coordinator 16 <u>Del. C.</u> § 912(a)(13)
Nicole Magnusson	Young Adult 16 <u>Del. C.</u> § 912(a)(14)
Kathryn Lunger, Esq.	One Representative from the Public Defender's Office 16 Del. C. §912(a)(15)
Dr. Allan De Jong	At-large Member - Medical Community 16 <u>Del. C.</u> § 912(a)(16)
Ellen Levin	At-large Member - Child Protection Community 16 <u>Del. C.</u> § 912 (a)(16)
Janice Mink	At-large Member - Child Protection Community 16 <u>Del. C.</u> § 912 (a)(16)

Staff:

Tania Culley, Esq., Executive Director
Rosalie Morales
Amanda Sipple

Members of the Public:

Meg Garey	Leslie Newman	Ashlee Starratt
Carrie Hyla	Trenee Parker	Gwen Stubbolo
Susan Murray	Meredith Seitz	Ellie Torres, Esq.

I. CHAIRPERSON'S WELCOME AND INTRODUCTIONS

Ginger Ward opened the meeting and welcomed the attendees.

II. APPROVAL OF MINUTES

The minutes from August 10, 2016 were approved pending minor changes.

III. EXECUTIVE DIRECTOR'S REPORT

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Tania Culley, Esq. provided the executive director's report. At this time 450 children are receiving legal representation through the Office of the Child Advocate (OCA). All Deputy Child Advocates have a full caseload. Two hundred thirty-three attorneys are assigned cases and twenty-seven are available for cases. OCA continues to partner with the Court Appointed Special Advocates (CASA) program to appoint representation to children. Kelly Ensslin, Gwen Stubbolo, and Tania Culley have been meeting to regarding the CASA relocation and will begin sharing details about the merger as they are completed. Legislative items are being circulated with the CPAC Legislative Committee and the legislative agenda is expected to be shared with the Commission at the February Commission Meeting.

IV. INVESTIGATION COORDINATOR'S REPORT

Jennifer Donahue, Esq. reported out on the Investigation Coordinator's (IC) Quarterly Data Report. At the end of the quarter 379 cases were open with IC. Of those 379 cases, 15 are child deaths, 34 are serious physical injuries, and 330 are sexual abuse cases. In addition to the quarterly overview, Ms. Donahue discussed specific data points for death, serious physical injury, and sexual abuse cases, including child and perpetrator profiles, civil findings, and criminal findings.

IC has been meeting with the Department of Justice (DOJ) and Division of Family Services (DFS) to complete a review of substance exposed infant cases from the hotline that have been screened out by DFS. IC was asked to prepare recommendations from the meetings regarding substance exposed infants who are left in the home with safety plans or in the home without the perpetrator.

Ms. Donahue reported that Ashlee Starratt has resigned from her position with the IC and will begin a position with the County Police in December. CPAC Annual Report Review and Approval

The CPAC Annual Report was reviewed by the commission. The report reflects the responsibility of CPAC as the Citizen Review Panel for Delaware in compliance with CAPTA since 2008. The motion to approve pending a minor change was made by Dr. Colmorgen and seconded by Janice Mink. All voted in favor. The motion carried.

V. COMMISSIONER REPORTS

A. DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES

Secretary Benson-Green reported that 794 children are DSCYF custody. The department is working to quickly fill vacancies including four supervisor positions, eight positions at Beech, five in University Plaza, six in Kent, and four in Sussex.

I. PREVENTION AND BEHAVIORAL HEALTH

Susan Cycyk reported on Prevention and Behavioral Health. The department started to implement new Medicaid state plan. The division is working with providers to train on the new opportunities and finance plan.

II. DIVISION OF FAMILY SERVICES

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Shirley Roberts reported on the Division of Family Services (DFS) caseloads which have continued to increase. The continuous increase of caseloads has placed a strain on the workforce and is in part responsible for the increased employee turn-over rate of 11%. DFS requests the Commission continue to monitor the caseloads. Investigation caseloads and treatment caseloads are over standard. Ms. Roberts reported that employees over hires are being used to fill some of the vacant positions. Additionally, some senior staff transitioned to telework due to lack of physical work space.

B. FAMILY COURT

Judges Vari, Ranji, and McGiffin are now presiding over cases involving children in foster care or which fall under the purview of the Court Improvement Program (CIP). The Family Court Leading Practices Committee is working to complete a case plan task list for parent attorneys. This task list is meant to assist parent attorneys track planning and will provide a list of abbreviations for parent attorneys.

C. CHILD PLACEMENT REVIEW BOARD

No report was provided.

D. CHILD DEATH REVIEW COMMISSION

Dr. Garrett Colmorgen reported that the Calendar Year 2014 and 2015 Annual Report was released and circulated on November 2, 2016. The 2016 is expected to be released late April 2017 in time for the legislative session. By the end of 2016 there will be no backlog of case reviews, with the exception of cases which are pending prosecution and not older than two years old. Currently, internal and external policies and procedures are under review and will be posted to the agency website after approval by the Child Death Review Commission. At the last Commission meeting, the Commissioners voted to establish a School Nurse Committee to explore the issue of medical action plans not being reinforced or required within the schools. There have been cases where natural deaths occurred as a result of neglect or the child not receiving appropriate care by the parent. This group will evaluate policy and procedures to ensure that these children have the medical care they needed to prevent these unnecessary deaths. This group may recommend legislative change as well.

E. INTERAGENCY COMMITTEE ON ADOPTION

Meg Carey reported that Delaware National Adoption Day will be held at the Delaware Agriculture Museum in Dover, Delaware on November 19th at 1:00 pm. The event will finalize adoptions and recognize 53 other children waiting to be adopted.

F. CHILDREN'S ADVOCACY CENTER

No report was provided.

VI. CPAC DASHBOARD

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Rosalie Morales gave a presentation on the quarterly child welfare trends identified by the CPAC Data Utilization Committee. Ms. Morales reported the statewide caseload average for investigations and treatment continues to be over the statutory limits. The averages are at a dangerously high numbers and are cause for concern. The number of youth with another planned permanency living arrangement is at an all-time low at thirty-six. Ms. Morales reported the dashboard is expected to be available online in spring 2017.

VII. CHILD ABUSE AND NEGLECT DEATH/NEAR DEATH REVIEWS

A. CAN CASELOADS REPORT/ ADMINISTRATIVE UPDATE

Ms. Culley reported that there are 45 CAN cases open. Of those cases 20 are in the initial stage and 25 are in the final stage. Fifteen of the cases in the final stage are pending prosecution. None of the open cases are more than one year old.

B. CAN FINDINGS/DETAILS/JOINT ACTION PLAN

Ms. Mink reported on the 58 findings from the most recent CAN Panel reviews. The Commission reviewed the proposed letter to the Governor on the work of the CAN Panel. A motion was made by Dr. Colmorgen and seconded by Dr. De Jong to approve the findings summary and findings detail. All voted in favor. The motion carried. Please refer to the findings summary and findings detail for additional information.

C. LETTER TO THE GOVERNOR

Ms. Mink reviewed the letter to the Governor. A motion was made by Ellen Levin and seconded by Shirley Roberts to approve the letter to the Governor. All voted in favor. The motion carried.

VIII. DISCUSSION OF JOINT RETREAT ACTION PLAN

Ms. Culley presented the joint retreat action plan. The Commissioners were provided some changes and the agreed The Commissioners agreed that a reconvening of the only committee for the action plan was necessary.

IX. GOVERNOR MARKELL PRESENTED CPAC CHAIR WITH TRIBUTE

Governor Markell presented Chair Mike Cochran, Esq. with a tribute for ten years of service to Delaware's children. Mr. Cochran shared that he hopes that the commission keep moving forward with Child Abuse and Abuse Review Panel, Investigation Coordinator reviews, and policy work in order to better serve Delaware's children.

X. CPAC COMMITTEE REPORTS

A. MEDICALLY FRAGILE/SUBSTANCE EXPOSED INFANTS COMMITTEE

The In-Depth Technical Assistance for Substance Exposed Infants (SEI IDTA) officially began on November 3, 2016. Delaware was one of 2 states to be awarded the assistance. On February 7 - 8,

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2017, Delaware will send 8 representatives ("Delaware Core Team") to the Policy Academy in Baltimore, MD. Our representatives are from DSCYF, Division of Public Health, DSAMH, Christiana/DHMIC, Substance Use Disorder Treatment Provider, and IC. Our group will work to develop a State Action Plan during the Policy Academy that will address the 3 main goals outlined in our application. In addition to attending the Policy Academy, the technical assistance "change leaders" conduct teleconferences with our Core Team and the larger group from the SEI Committee twice a month. We have developed a "Delaware Services Matrix" that outlines the various programs that already exist in Delaware which will allow us to then integrate the programs to develop a statewide response protocol for substance exposed infants and their families. The Substance Exposed Infants bill will be reintroduced after our team returns from the Policy Academy.

B. EDUCATION COMMITTEE

In December 2015, the Every Student Succeeds Act (ESSA) was signed into law, which included protections to promote school stability for youth in foster care. The Education Committee and its workgroups are overhauling existing legislation and policies to ensure education stability for youth in foster care in Delaware comports with federal changes in the law. Policy work includes overhauling the existing interagency Memorandum of Understanding to ensure school stability for youth in foster care in accordance with ESSA.

The CPAC Education committee also developed a Student Summary form, which has information about the child's grade, discipline, IEP classification (if applicable), number of school placements, credits, and other educational information. The Student Summary will be used as an education court report to ensure that the Family Court is informed of educational progress for youth involved in dependency/neglect proceedings.

In addition, a team which included members of the CPAC Education Committee including Judge Barbara Crowell, Rachael Neff, Eliza Hirst, and Dr. Heather Alford attended Georgetown University's School Justice Partnership Certificate Program. The group received training in September and developed a Capstone Proposal to improve education outcomes for system-involved youth in the Brandywine School District. The Capstone will focus simultaneously on administrative level and school building level efforts to improve awareness of trauma and multi-tiered strategies to support systems involved youth.

A motion was made by Dr. Colmorgen and seconded by Dr. DeJong to respectfully decline to write a letter of support for the grant funding and would at this time state that CPAC may consider it at another time. All voted in favor. The motion carried.

C. TRAINING COMMITTEE

The Protecting Delaware's Children Conference is scheduled for April 25 and 26, 2017. The first day is for the Multidisciplinary Team (MDT) and will provide specialized training. Training kits were purchased through the Child Death Review Commission (CDRC). The second day has room for 500 participants, will have three workshop sessions, and tools for the Memorandum of Understanding. Funding is still needed and necessary in order to cover the costs of the conference. Additionally, the Committee received a quote for the mobile application of \$10,000 for completion of the application.

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There is no funding to complete the application that would provide first responders with the MDT protocols.

XI. 2017 MEETING DATES

- May 17, 2017
- August 16, 2017
- November 8, 2017

All meetings will take place from 9:00 a.m. – 12:00 p.m. at the New Castle County Courthouse in the 12th Floor Conference Room.

XII. PUBLIC COMMENT AND ADJOURNMENT

Nicole Byers reported that 22 youth from the Delaware Youth Advisory Council (YAC) visited Washington, D.C. and toured U.S. Senator Christopher Coons' office. The group discussed difficulty obtaining driver's licenses as youth in foster care, the cost of car insurance and expunging juvenile records.