

FOSTER CARE POLICIES AND PROCEDURES

REASON FOR INVESTIGATION

Concerned about the impact of the foster-care system on children, the Grand Jury decided to investigate the practices and procedures of foster care within Nevada County.

BACKGROUND

In its investigation, the Grand Jury looked at a variety of issues related to the foster-care system; most particularly the method by which foster homes and families are certified or licensed for the placement of children classified as requiring foster care.

A child is placed in foster care for a variety of reasons: most often as a result of the death or incarceration of a parent or parents, and usually without relatives willing or able to provide care for the child. Other parental problems that may call for placing a child in foster care include instability, chemical addiction, abusive behavior, or a medical condition, any of which would prevent the parent from providing proper childcare. In some instances, the child's behavior may be beyond the ability of the parent to control.

In a recent report issued by the US Department of Health and Human Services, the major conclusion reached is that California (along with most of the other states) must become more accountable for meeting the needs of foster children, and be less focused on creating procedures and then evaluating whether such procedures are being followed. In the report there is the threat of an \$18.2 million penalty if the State's Department of Social Services does not write and implement a satisfactory plan by 2005.

More specifically, among the criticisms lodged against the California foster-care system in the federal report were:

- Children are being allowed to languish in foster homes instead of being returned home or matched with adoptive parents.

- Children are re-victimized by their own parents or foster parents.

- Children fail to have their mental health needs met.

- Families are not provided adequate parenting help and therapy.

Federal intervention in local foster care began with the Adoption Assistance and Child Welfare Act of 1980, which called for the recruiting of culturally diverse foster and adoptive families, and the establishment of standards for foster-family homes, with provision for periodically reviewing foster-care standards. Federal funds were and are appropriated to the

states and, in turn, to the counties. Public Law 1105-89, The Adoption and Safe Families Act of 1997, further advanced the consideration of foster children.

The foster-care system represents so enormous an amount of effort and money on the part of the federal government, the State, the counties, the various agencies, and the foster families, as to make a complete survey well beyond the scope of this Grand Jury. Rather, consideration in this report is given to the methods by which Nevada County approves and oversees foster children from the County, foster children placed in the County from other counties, and the foster homes in the County.

PROCEDURE FOLLOWED

Interviews were conducted with officials in the County's Child Protective Services (CPS), the Superintendent of Schools office, and the State office in Sacramento responsible for certifying or approving foster homes. Various publications from the Department of Social Services in Sacramento were reviewed. The Grand Jury also reviewed State and local laws relating to children in foster-care placements, and other operating policies and procedures. These included California Senate and Assembly bills pertaining to foster care and disturbed children's programs, and the Handbook issued by Child Welfare Services.

FINDINGS

1. Nevada County currently has 164 children who are residents of the County in the foster-care system. Of that number, 75 of these children have been placed in Nevada County. CPS reports that children of Nevada County are rarely placed in foster homes in other counties. However, 89 (or more than half) of our children are in foster care in other counties. Two hundred foster children from other counties have been placed in Nevada County foster homes.
2. The Child Welfare Services Program Handbook (the Handbook) states: "When out-of-home placement is used...the decision regarding choice of placement shall be based upon selection of the least restrictive or most familylike setting.... The selection shall consider, in order of priority, placement with relatives, tribal members, and foster family, group care, and residential treatment, pursuant to Section 275 of the Civil Code."
3. Foster homes and foster parents are approved separately. If the approved foster parents should move to a new location, the overall approval is voided; a new application and approval are required. Similarly, if a new set of foster parents should move into a home that had previously been approved, the approval procedure must begin anew.
4. Each California county is responsible for approval of foster homes within its borders. Nevada County, however, has delegated this approval procedure to a licensing program analyst in the State Department of Social Services in Sacramento. This analyst is

responsible for evaluating homes in a few counties contiguous to and including Nevada County. The analyst visits these approved foster homes annually.

5. Nevada County residents wishing to become foster parents must first contact the Department of Social Services in Sacramento. The applicants will then receive, by mail, packets of information and application forms. Evaluation of the candidates is made in Sacramento.
6. Upon approval, these candidates must then take their training in Sacramento, where they are given a 12-hour initial training session and, subsequently, an annual eight-hour refresher course.
7. According to Section 31-505.123 of the Handbook, CPS may place children currently living within the county (sending county) in homes in other counties (receiving county). The child may be placed anywhere in California, but, whenever possible, in a contiguous or nearby county.
8. There can be a number of possible reasons for the foster child's relocation to another county; *e.g.*, the availability of foster homes, the need for special care, relationships between foster parent and foster child, the location of a desirable member of the child's extended family.
9. When a child is to be placed out of his or her county, the sending county is responsible for supervising and visiting the child in the foster home, and for developing a plan of supervision and visitation. It must specify, in a formal agreement, that the sending county is responsible for performing these activities. The reason or reasons for the out-of-county placement must also be documented.
10. By written agreement between the sending and receiving counties, the receiving county may accept responsibility for providing supervision and services for the foster child. The receiving county then would provide regular reports to the sending county; and the sending county would then provide consultation and advice as needed. (This is spelled out in Sections 10553 and 10554 of the Welfare and Institution Code.)
11. Approval of a foster home and foster parent may be classified as “certified” or “licensed.” Foster parents and foster homes approved by the County and State, as discussed above, receive a license. No more than six foster children may be assigned to a home, regardless of the size of, and the facilities in, the home. Currently, the State Department of Social Services in Sacramento is responsible for the supervision and approval of a licensed home in Nevada County.
12. There are also several foster-home agencies within the State, including Nevada County, that provide foster care. These agencies are authorized by the State to seek and approve foster homes and parents. Homes and caregivers, when inspected and approved by an agency are considered to be certified.

13. These private agencies must be non-profit. Each agency is approved by the State through the Community Care Licensing Section and is empowered by State legislation to receive from the court children for placement in foster homes in its system.
14. These certified foster parents and foster homes are not approved by, and may be unacceptable to our CPS, which has no authority over either the selection or supervision of these foster families or foster homes.
15. Usually younger children are placed quickly. Those ages 15 to 18 are least likely to find adequate foster care. According to Nevada County CPS, for want of adequate foster homes, some in this latter group may be placed in juvenile halls.
16. Upon reaching the age of 18, the child is no longer in the foster-care system. There is provision, however, under the Independent Living Program, according to the California Manual Letter CWS-93-01, for funds for extended care for those in need of additional help or supervision. Nevada County has a model program for those who graduate from the system. The funds that make this possible are drying up.
17. Surveys indicate that “aging out” of the system may lead too often to “aging into” homelessness, pregnancy, or unemployment. In one study, "Bridges to Independence" published by the 1999-2000 Orange County Grand Jury, half the foster-care “graduates” were unemployed and homeless in comparatively affluent Orange County; a third were getting public assistance; almost half were involved in out-of-wedlock births; a quarter of the males and ten percent of the females had already been incarcerated.
18. Under the California Fiscal Budget Act of 1998, foster parents receive a basic payment for each foster child in their care. Each county in California governs the payment to foster parents; the State and the federal government are expected to reimburse the county.
 - a. Nevada County's current basic rate for payment to a licensed foster family is \$425 monthly for the care of a child up to the age of four, and is raised in increments, depending on age, to \$597 for a child between the ages of 15 and 18.
 - b. Foster children with special needs are evaluated under an Appraisal/Needs and Services Plan. Payment can reach a maximum of \$1,180 per month for a child under four to \$1,352 monthly for a child in the oldest age group.
 - c. There is, in addition to the monthly payments outlined above, an annual clothing allowance for each child in licensed foster care of \$213.
 - d. Foster-home agencies receive from the child’s originating county \$1,589 per month for child to the age of four, and \$1,865 for each foster child between the ages of 15 and 18, with incremental rates among the various age groups. The agency is expected to reimburse in part each participating foster family within its system.

- e. There is also a \$391 infant supplement available for all foster families within the system.
19. Foster children are to be monitored in their licensed foster-care setting at least once a month by the social service worker assigned.
- a. There is no uniform training statewide for social workers in the foster-care system. Each county is separately responsible and each county's training may be very different from another's.
 - b. Foster homes in the agency system are monitored only by agency supervisors.
20. All children in the foster-care system are required to have a permanent case plan designed to lead toward a specific outcome. Plan goals must include ultimate reunification with the family, adoption placement, or juvenile emancipation. Plans are to be updated every six months and are to be approved by the court.
21. According to those interviewed, foster children can be subjected to a number of problems.
- a. Official notification from the sending county to Nevada County as the receiving county may be delayed or simply may not occur. CPS may not become aware of a foster child transferred into the County unless the child is hospitalized because of possible abuse, or placed under arrest.
 - b. Even when notification proceeds properly, the foster child's school records may not arrive at the new school for as long as eight or ten weeks. During this time, the child may not be permitted to attend school.
 - c. Foster parents may home-school their foster children under State guidelines that do not require them to follow established curricula. Foster-care students are not required to be regularly tested, assessed for special needs, or graduated from any grade level. There is no State system for determining if foster children in Nevada County are actually receiving an education in these settings.
 - d. Our CPS is on record as demanding that foster parents not home school the foster children in their care. CPS finds it difficult to enforce its own policy.
 - e. Some adults become foster parents for no other incentive than the money to be derived from foster-child payments. This is a known fact and accepted by CPS and the State. Once these families receive their monthly payments, no accounting for how the funds are used is actually required in most cases.
 - f. One family in Nevada County has housed 20 children at one time. Many of the children required special physical or medical needs. These children were placed in the home from outside Nevada County. The family eventually adopted most of the

children. The State has now revoked this family's license after CPS voiced concerns against the family home and the foster parents' care of the children.

CONCLUSIONS

The federal report's document seems correct: There is a greater need for considering the foster child's welfare in all judgments rather than narrowly following established rules and regulations. With the possibility of the Federal Government penalizing the State \$18.2 million, each county, including Nevada County, will find it difficult to fund adequately its foster care programs.

Nevada County must be in much greater control of foster parents and foster homes in the County. Currently that control is delegated to the State. This includes taking back the approval of foster homes. It also means that candidates for foster parenting residing in Nevada County should be evaluated, approved and trained in the County.

The selection and supervision of foster-family agencies operating in Nevada County is not subject in any way to County approval. This should not be the case; the Grand Jury believes that supervision by the County's CPS would be more effective and efficient.

There is a serious lack of communication among the various county and State agencies concerning the care and record keeping of children in the foster-care system. Agencies that have a stake in foster care are overburdened by procedures and understaffed to a point where the system is in danger of falling apart.

Home-schooling in foster homes in the County is unacceptable for reasons beyond the possibility of the child receiving a poor education. By permitting a foster child access to the outer world of the public school, the child's clothing needs, social skills, freedom from abuse and general health can also be evaluated and interventions provided. Our local CPS, in spite of its intentions, is not enforcing its policy of eliminating home schooling in the County foster-care system.

As funds earmarked for helping out those who age out of the Nevada County foster-care system dry up, the County should be alert to possible problems already encountered in other counties.

RECOMMENDATIONS

1. The Board of Supervisors should review Nevada County's role in the licensing of foster homes, a role which is currently held by an employee of the State of California.
2. The Board of Supervisors should consider taking back from the State the responsibility for the approval and training of foster parents within the County.

3. Nevada County should be responsible for all foster children domiciled in foster homes in the County. Foster children from Nevada County but living in foster homes outside the County should be supervised by social workers in the receiving counties.
4. The Nevada County CPS should work with the child protective services of other counties to assure the immediate exchange of information and records for each foster child moved from or to Nevada County.
5. The County's CPS should enforce its policy of eliminating home schooling in the foster-care system.
6. The Board of Supervisors should maintain funds and services to continue the County's model of the transition of 18-year olds in the foster-care system into independent living.

REQUIRED RESPONSE

The Board of Supervisors by September 30, 2003

REQUESTED RESPONSE

Director of Human Services Agency by August 29, 2003

COUNTY OF NEVADA

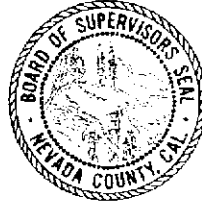
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September 10, 2003

The Honorable Judge Ersel Edwards
Presiding Judge of the Nevada County Courts
Nevada County Court House
Nevada City CA 95959

Subject: Board of Supervisors Responses to the 2002-2003 Nevada County Civil Grand Jury Early Response Report No. 12, dated June 30, 2003 regarding Foster Care Policies and Procedures

Dear Judge Edwards:

The attached responses by the Board of Supervisors to the 2002-2003 Nevada County Civil Grand Jury Early Response Report No. 12, dated June 30, 2003, are submitted as required by California Penal Code §933.

These responses to the Grand Jury's Findings And Recommendations were approved by the Board of Supervisors at their regular meeting on September 9, 2003. Responses to Findings and Recommendations are based on either personal knowledge, examination of official county records, information received from the Human Services Agency, or testimony from the Board of Supervisors and county staff members.

The Board of Supervisors would like to thank the members of the 2002-2003 Grand Jury for their participation and effort in preparing their Report.

Sincerely,

Robin Sutherland

Vice-Chair, Board of Supervisors

Attachment

sh:pb

cc: Foreman, Grand Jury
HSA
Rick Haffey, CEO
County Counsel

**NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO
2002/2003 CIVIL GRAND JURY EARLY RELEASE REPORT NO. 12**

DATED JUNE 30, 2003

RE: FOSTER CARE POLICIES AND PROCEDURES

Responses to findings and recommendations are based on either personal knowledge, examination of official county records, review of the responses by the Human Services Agency, the County Executive Officer, or testimony from the Board Chair and county staff members.

I. GRAND JURY INVESTIGATION:

Foster Care Policies and Procedures.

A. RESPONSE TO FINDINGS & RECOMMENDATIONS:

Findings:

1. Nevada County currently has 164 children who are residents of the County in the foster care system. Of that number, 75 of these children have been placed in Nevada County. CPS reports that children of Nevada County are rarely placed in foster homes in other counties. However, 89 (or more than half) of our children are in foster care in other counties. Two hundred foster children from other counties have been placed in Nevada County foster homes.

Partially agree

The term "foster children" includes Probation youth, Child Protective Service (CPS) children, children in custody of non-related legal guardians, and mental health placements ordered as a result of special education assessments by the schools. As of June, 2003, there were a total of 120 Nevada County children in foster care, of which 26 were under Probation Department supervision, 60 placed in foster homes by CPS, 32 with non-related guardians, and 2 mental health placements. It is a priority of Nevada County CPS to place foster children within the county. However, it is sometimes necessary to place children outside the county in order to meet the children's individual needs, such as specialized homes for teens or families trained to deal with specific medical or mental health conditions. At present, CPS has approximately 30% of its foster youth placed outside the county. Numbers of youth placed into Nevada County by other counties are unknown.

2. **The Child Welfare Services Program Handbook (the Handbook) states: "When out-of-home placement is used...the decision regarding choice of placement shall be based upon selection of the least restrictive or most family-like setting.... The selection shall consider, in order of priority, placement with relatives, tribal members, and foster family, group care, and residential treatment, pursuant to Section 275 of the Civil Code."**

Agree

3. **Foster homes and foster parents are approved separately. If the approved foster parents should move to a new location, the overall approval is voided; a new application and approval are required. Similarly, if a new set of foster parents should move into a home that had previously been approved, the approval procedure must begin anew.**

Disagree

The State of California has one process for licensing foster homes. This process includes a background investigation on the care providers and an inspection of the residence. If the foster family moves to a new residence, then the new residence must be inspected and re-licensed to ensure continued safety. If a new set of foster parents moves into a residence that had previously been licensed as a foster home, the residence would again be evaluated as part of the new foster family's re-licensing process. This process is defined under Title 22, Division 6, Chapter 1, Article 3.

4. **Each California county is responsible for approval of foster homes within its borders. Nevada County, however, has delegated this approval procedure to a licensing program analyst in the State Department of Social Services in Sacramento. This analyst is responsible for evaluating homes in a few counties contiguous to and including Nevada County. The analyst visits these approved foster homes annually.**

Partially agree

The State of California has primary responsibility for licensing foster homes. Under Health and Safety Code Section 1511, the State may delegate this responsibility under contract to counties. The County of Nevada has elected not to assume the licensing function, as the level of specialized staffing and additional expense that this would require has not been considered cost-efficient given the size of the county. Nevada County CPS and the State Community Care Licensing representative have a good working relationship.

The Board will consider a change to this policy in the future if recommended by the Human Services Agency (HSA) through the County Executive Officer (CEO) and if it is seen to be in

the best interest of foster children and a more cost efficient way to ensure foster homes are properly licensed.

5. **Nevada County residents wishing to become foster parents must first contact the Department of Social Services in Sacramento. The applicants will then receive, by mail, packets of information and application forms. Evaluation of the candidates is made in Sacramento.**

Partially agree

Applications are available in the Nevada County Child Protective Service (CPS) office and can be picked up in person. The Nevada County Foster Parent Association can help with the paperwork and answer frequently asked questions. This assistance is also available in Sacramento at the Community Care Licensing (CCL) office. Specialized licensing staff in Sacramento evaluate applications, including making required home inspections as described in #3 above.

6. **Upon approval, these candidates must then take their training in Sacramento, where they are given a 12-hour initial training session and, subsequently, an annual eight-hour refresher course.**

Disagree

Training can be completed in Nevada County through our contract with the Nevada County Superintendent of Schools for Foster Parent Training.

7. **According to Section 3 1-505.123 of the Handbook, CPS may place children currently living within the county (sending county) in homes in other counties (receiving county). The child may be placed anywhere in California, but, whenever possible, in a contiguous or nearby county.**

Agree

8. **There can be a number of possible reasons for the foster child's relocation to another county; e.g., the availability of foster homes, the need for special care, relationships between foster parent and foster child, the location of a desirable member of the child's extended family.**

Agree

9. **When a child is to be placed out of his or her county, the sending county is responsible for supervising and visiting the child in the foster home, and for developing a plan of supervision and visitation. It must specify, in a formal agreement, that the sending county is responsible for performing these activities. The reason or reasons for the out-of-county placement must also be documented.**

Partially agree

A formal agreement between sending and receiving counties is only required when the receiving county is to assume responsibility for supervision. Counties are not required to delegate this responsibility. In order to maintain contact and continuity of care it is important that the assigned Social Worker make the regular monthly contacts. It has been County practice to maintain the connection with our children in order to provide a sense of stability and connection to our community. Delegating this responsibility can create problems with child relationships and inconsistent delivery of service.

10. **By written agreement between the sending and receiving counties, the receiving county may accept responsibility for providing supervision and services for the foster child. The receiving county then would provide regular reports to the sending county; and the sending county would then provide consultation and advice as needed. (This is spelled out in Sections 10553 and 10554 of the Welfare and Institution Code.)**

Partially agree

The referenced code sections refer to responsibilities of the Director of the California Department of Social Services and other functions of that department; they are not relevant to this topic.

11. **Approval of a foster home and foster parent may be classified as "certified" or "licensed." Foster parents and foster homes approved by the County and State, as discussed above, receive a license. No more than six foster children may be assigned to a home, regardless of the size of, and the facilities in, the home. Currently, the State Department of Social Services in Sacramento is responsible for the supervision and approval of a licensed home in Nevada County.**

Partially agree

Foster homes are not limited to a capacity of six children. Regulations for determining capacity of a licensed home, as described in California Code of Regulations, Title 22, Division 6, Chapter 1, section 80028, provide for CCL to take into consideration a number of factors in determining the approved capacity for a facility. Those factors include both the physical

characteristics of the residence and the household composition. As stated earlier, the CCL Section of the California Department of Social Services is responsible for licensing foster homes; Nevada County CPS is responsible for supervising the care of foster children it places in those homes.

12. **There are also several foster-home agencies within the State, including Nevada County, that provide foster care. These agencies are authorized by the State to seek and approve foster homes and parents. Homes and caregivers, when inspected and approved by an agency are considered to be certified.**

Agree

According to the most recent list published by the State's Community Care Licensing (CCL) Section, there are 231 certified foster home agencies in California.

13. **These private agencies must be non-profit. Each agency is approved by the State through the Community Care Licensing Section and is empowered by State legislation to receive from the court children for placement in foster homes in its system.**

Agree

14. **These certified foster parents and foster homes are not approved by, and may be unacceptable to our CPS, which has no authority over either the selection or supervision of these foster families or foster homes.**

Agree

Though the CPS does not have licensing authority for FFA homes, we do have placement authority and work to match our children into homes that will meet their needs. In the case of a CCL licensed facility, CPS has the option of performing an FFRE (Foster Family Readiness Evaluation) in which the prospective foster family is interviewed to assess the family's ability to meet the needs of foster children and the family's intentions as they relate to providing foster care. In this evaluation, CPS can determine the best use of a particular home or voice concerns over their ability to serve the foster child population.

15. **Usually younger children are placed quickly. Those ages 15 to 18 are least likely to find adequate foster care. According to Nevada County CPS, for want of adequate foster homes, some in this latter group may be placed in juvenile halls.**

Partially agree

It is true that younger children are easier to place in foster care than teenagers. However, children are not "placed" in Juvenile Hall through the foster care system, but are sent there by the Court as the result of committing a crime. CPS does work with the Probation Department in assessing children in a dual jurisdiction (CPS and Probation) situation for whom a determination must be made (under W&I Code 241.1) as to which would be the more appropriate status. In such cases, a referral is made to the County's standing Multi-Disciplinary Team (MDT), also known as SMART (Special Multi-Disciplinary Assessment and Response Team), and a recommendation of status is prepared for the Court.

16. **Upon reaching the age of 18, the child is no longer in the foster-care system. There is provision, however, under the Independent Living Program, according to the California Manual Letter CWS-93-0 1, for funds for extended care for those in need of additional help or supervision. Nevada County has a model program for those who graduate from the system. The funds that make this possible are drying up.**

Partially agree

Children are recognized as reaching the age of majority at age 18; however, they can remain in foster care until their 19th birthday if they will graduate from school. The County currently has a contract in place with Nevada County Superintendent of Schools to provide an Independent Living Program (ILP) training curriculum and emancipated youth services. Through that program, services can be provided to support foster youth through the age of 21. Funding for this program is adequate for meeting the current need. Whether funding will continue to be available cannot be predicted at this time but will be considered during the FY 2004-2005 budget process.

17. **Surveys indicate that "aging out" of the system may lead too often to "aging into" homelessness, pregnancy, or unemployment. In one study, "Bridges to Independence" published by the 1999-2000 Orange County Grand Jury, half the foster-care "graduates" were unemployed and homeless in comparatively affluent Orange County; a third were getting public assistance; almost half were involved in out-of-wedlock births; a quarter of the males and ten percent of the females had already been incarcerated.**

The Board cannot either agree or disagree with the results of the Grand Jury research. The Nevada County Humans Services Agency has not attempted to independently verify the research cited above, but has no reason to doubt its accuracy.

In Nevada County, ILP services as described in Finding No.16 above are available to support Nevada County youth. Child Protective Service (CPS) staff, and school staff under contract, work to address potential problems and to provide a place to which Nevada County youth can turn for assistance.

- 18. Under the California Fiscal Budget Act of 1998, foster parents receive a basic payment for each foster child in their care. Each county in California governs the payment to foster parents; the State and the federal government are expected to reimburse the county.**

Nevada County CPS administers the Foster Care Payment System as governed by the California Department of Social Services Eligibility and Assistance Standards Manual (Division 45). Rates are established by the state and each county sets its own Special Needs payment rate to a maximum dollar amount established by the state.

- a. Nevada County's current basic rate for payment to a licensed foster family is \$425 monthly for the care of a child up to the age of four, and is raised in increments, depending on age, to \$597 for a child between the ages of 15 and 18.**

Agree

- b. Foster children with special needs are evaluated under an Appraisal/Needs and Services Plan. Payment can reach a maximum of \$1,180 per month for a child under four to \$1,352 monthly for a child in the oldest age group.**

Agree

- c. There is, in addition to the monthly payments outlined above, an annual clothing allowance for each child in licensed foster care of \$213.**

Agree

- d. Foster-home agencies receive from the child's originating county \$1,589 per month for child to the age of four, and \$1,865 for each foster child between the ages of 15 and 18, with incremental rates among the various age groups. The agency is expected to reimburse in part each participating foster family within its system.**

Agree

- e. There is also a \$391 infant supplement available for all foster families within the system.**

Partially agree

Infant supplements can be issued for foster children who have babies, to offset the cost of care. This is not supplemental money for a foster parent with a baby.

19. Foster children are to be monitored in their licensed foster-care setting at least once a month by the social service worker assigned.

- a. There is no uniform training statewide for social workers in the foster-care system. Each county is separately responsible and each county's training may be very different from another's.**

Partially agree

There are State-developed curricula for the education of social work staff. The University of California at Davis (UCD) offers certificate programs in Child Welfare and currently administers the Child Welfare Training project for the State of California. At this time, all of Nevada County's CPS staff have completed the Core training (Foundation of Child Welfare) and have ongoing refresher training as arranged under contract with UCD. Current training hours are augmented with specialized training and conferences. The County currently has two specialized staff members certified to conduct forensic interviews and who are able to assist law enforcement in criminal investigations.

- b. Foster homes in the agency system are monitored only by agency supervisors.**

Partially agree

Foster Family Agencies (FFA) monitor their homes and assign their social workers to individual families for support and training. Counties maintain responsibility for the children placed in FFAs. Complaints on FFA homes are processed through the State's Community Care Licensing office.

- 20. All children in the foster-care system are required to have a permanent case plan designed to lead toward a specific outcome. Plan goals must include ultimate reunification with the family, adoption placement, or juvenile emancipation. Plans are to be updated every six months and are to be approved by the court.**

Agree

Permanent case plan goals may also include guardianship or long-term foster care, in addition to ultimate reunification with the family, adoption placement, or juvenile emancipation.

- 21. According to those interviewed, foster children can be subjected to a number of problems.**

- a. Official notification from the sending county to Nevada County as the receiving county may be delayed or simply may not occur. CPS may not become aware of a foster child**

transferred into the County unless the child is hospitalized because of possible abuse, or placed under arrest.

Agree

Counties have authority under state law to place children in another county without the consent or involvement of the receiving county. The placing county is ultimately responsible for the child, and it is up to the placing county to arrange alternative supervision for an out-of-county placement if they believe that is in the best interest of the child. In some cases in which residency of the parent changes, cases can be transferred between jurisdictions by the Courts.

- b. Even when notification proceeds properly, the foster child's school records may not arrive at the new school for as long as eight or ten weeks. During this time, the child may not be permitted to attend school.**

Disagree

Children are not denied education and a child's school record has to be requested by the school of enrollment. Children need only have residency to attend school. The Nevada County Human Services Agency (HSA) is unaware of any child under the supervision of Nevada County CPS being denied access to education. Support for foster youth is provided through Placer County Office of Education (PCOE) and Nevada County Superintendent of Schools Foster Youth Services Program.

- c. Foster parents may home-school their foster children under State guidelines that do not require them to follow established curricula. Foster-care students are not required to be regularly tested, assessed for special needs, or graduated from any grade level. There is no State system for determining if foster children in Nevada County are actually receiving an education in these settings.**

Disagree

The Nevada County Superintendent of Schools has established guidelines for home schooling and requires the filing of a home school affidavit in order to participate in that district's home school program. California's Education Code governs education standards. CPS provides regular updates to the court on the educational progress of all foster children under its supervision, and records are maintained for each child.

- d. Our CPS is on record as demanding that foster parents not home school the foster children in their care. CPS finds it difficult to enforce its own policy.**

Partially agree

Nevada County CPS requires that its foster children be mainstreamed in education unless there are exceptional circumstances that indicate that home schooling would be in the best interest for a particular child. At this time, there are no Nevada County dependents being home schooled.

- e. **Some adults become foster parents for no other incentive than the money to be derived from foster-child payments. This is a known fact and accepted by CPS and the State. Once these families receive their monthly payments, no accounting for how the funds are used is actually required in most cases.**

The Board cannot either agree or disagree with the Finding that some adults become foster parents only for the money to be obtained from foster child payments.

The Board disagrees that there is no accounting of how foster child payments are used.

Foster parents are subject to regulations governing expenditure of funds received (CCR Title 22, Division 6, Chapters 1 & 6) and minimum standards of care (W&I Code 11452). Community Care Licensing is responsible for all investigations on the misuse of foster care funds. Foster parents are required to keep records which are reviewed annually for compliance. As the placing agency, CPS has authority for placement and can use those homes that will best serve our children.

- f. **One family in Nevada County has housed 20 children at one time. Many of the children required special physical or medical needs. These children were placed in the home from outside Nevada County. The family eventually adopted most of the children. The State has now revoked this family's license after CPS voiced concerns against the family home and the foster parents' care of the children.**

Agree

Concerns were voiced in the community over the family in question. CPS forwarded those concerns to Community Care Licensing for investigation. Nevada County had not placed children in that home for many years and had advised other counties of its concerns regarding the home.

Recommendations:

- 1. The Board of Supervisors should review Nevada County's role in the licensing of foster homes, a role which is currently held by an employee of the State of California.**

The recommendation will not be implemented at the present time.

As stated in the Board response to Finding No. 4 and discussed in Finding No. 3, the Board agrees the current foster home licensing processes and procedures in place provide a level of specialized expertise to the licensing function that can not presently be provided at the local level and are adequate to ensure foster homes in Nevada County are properly licensed.

(See responses to Findings No. 3 & 4)

- 2. The Board of Supervisors should consider taking back from the State the responsibility for the approval and training of foster parents within the County.**

The recommendation will not be implemented at the present time.

The Board believes the current process for the approval and training of foster parents in Nevada County is sufficient at the present time to meet the needs of foster children within the County.

(See the responses to Findings No. 3-6 above for a discussion of Nevada County's training responsibilities and practices as supported by our Foster Parent Education Contract with the Nevada County Superintendent of Schools, jointly supported by Sierra College.)

The Board will continue to monitor this process and consider changes upon recommendation of HSA through the CEO.

- 3. Nevada County should be responsible for all foster children domiciled in foster homes in the County. Foster children from Nevada County but living in foster homes outside the County should be supervised by social workers in the receiving counties.**

The recommendation will not be implemented.

There is no authority in the law for Nevada County to be responsible for all foster children placed within the county. It would be poor social work practice, not to mention a disservice to our children, to delegate supervision to staff in another county who has no history or relationship with our children.

(See responses to Findings No.9 and 10.)

4. **The Nevada County CPS should work with the child protective services of other counties to assure the immediate exchange of information and records for each foster child moved from or to Nevada County.**

The recommendation has been implemented where Nevada County CPS is aware of a child's placement and there is a need to exchange information. Nevada County CPS expeditiously transfers records when cases are moved out of the County and will continue to do so in the future. However, the current law allows counties to maintain their own supervision and there is no requirement for notice of transfer.

(See responses to Findings No.9 and 10.)

5. **The County's CPS should enforce its policy of eliminating home schooling in the foster care system.**

The recommendation will not be implemented at this time. Nevada County CPS currently evaluates the needs of each child on a case-by-case basis in order to ensure each child's educational needs. There is no existing county policy on eliminating home schooling in the foster care system. The preference is usually not home-schooling, because the schools are seen as providing valuable resources for meeting the social and emotional needs, as well as the educational needs, of foster children. There is no explicit policy, though, as there may be instances where home-schooling might better meet a particular child's needs.

See response to Finding No. 21.

6. **The Board of Supervisors should maintain funds and services to continue the County's model of the transition of 18-year olds in the foster care system into independent living.**

The recommendation has been partially implemented. Additional initiatives to redesign the California Child Welfare System will be implemented in Nevada County in conjunction with changes in State regulations and within the authority of the County to manage our local foster care system. County initiatives to establish outcome-based performance measurements to objectively measure foster care system results will also be implemented as they are developed.

As the Grand Jury acknowledges in the "Background" section of its report, foster care in California is an area of concern that has recently come under considerable federal scrutiny. One outcome of this has been an initiative to redesign the California Child Welfare System. The Nevada County Human Services Agency is actively participating in the redesign process and is committed to its vision of ensuring that every child lives in a safe, stable, permanent home nurtured by healthy families and strong communities. One objective in this effort is to establish a performance measurement system that is based more on outcomes and less on regulatory compliance.

The Grand Jury, while making a number of recommendations for significant changes in the county's foster care role, has not provided any information that suggests that the current system is contributing to unfavorable outcomes for the foster children of this County. As outcome-based performance methods are put in place, we will have better and more objective information to assure that our system, as implemented by our highly trained and dedicated Child Protective Services staff, continues to meet the needs of Nevada County's children.

Required Responses:

Board of Supervisors – by September 30, 2003

Director of Human Services Agency – by August 29, 2003