



**Nebraska Children's Commission**  
521 South 14<sup>th</sup> Street  
Lincoln, NE 68508

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November 28, 2016

Patrick O'Donnell, Clerk of the Legislature  
State Capitol, Room 2018  
PO Box 94604  
Lincoln, NE 68509-4604

Dear Mr. O'Donnell,

Neb. Rev. Stat. §43-4218(4) requires the Normalcy Task Force of the Nebraska Children's Commission (Commission) to provide a report to the Health and Human Services Committee of the Legislature, the Nebraska Department of Health and Human Services, and the Governor by December 15, 2016, regarding initial and ongoing implementation of the federal Preventing Sex Trafficking and Strengthening Families Act and related efforts to improve normalcy for children in foster care and related populations. The Commission reviewed and approved the attached report at their November 15, 2016 meeting.

Respectfully,

Beth Baxter, Chairperson  
Nebraska Children's Commission

Sarah Helvey, Co-Chair  
Normalcy Task Force

Vernon Davis, Co-Chair  
Normalcy Task Force

Enclosure:  
Normalcy Task Force Annual Report (2016)



11/15/2016



# Normalcy Task Force 2016 Annual Report

Report to the Nebraska Children's Commission, the Governor, the Health and Human Services Committee of the Legislature, and the Department of Health and Human Services

Submitted Pursuant to Neb. Rev. Stat. §43-4218



# Normalcy Task Force 2016 Annual Report

## Normalcy Task Force

The Normalcy Task Force (Task Force) was created under the umbrella of the Nebraska Children’s Commission (Commission) to monitor and make recommendations related to Nebraska’s implementation of the Federal Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183 (referred to in this document as the “Strengthening Families Act” or “SFA”). Nebraska’s Strengthening Families Act, [LB746 \(2016\)](#), implements the federal SFA and initial stakeholder recommendations. Both the federal and state SFA represent a culture shift to allow children and youth to grow and thrive in less restrictive, more family-like environments and participate in age and developmentally appropriate activities. This culture shift has already begun and will continue to change as new elements of the act are implemented.

The Task Force is Co-Chaired by Sarah Helvey (Nebraska Appleseed) and interim Co-Chair Karen Authier (Nebraska Children’s Home Society). Vernon Davis (Former Youth in Foster Care) was appointed as Task Force Co-Chair on November 15, 2016. The Task Force has met three times since its codification in statute. The Task Force formed the following five subcommittees to create recommendations on priority areas of the Strengthening Families Act: Community and Family Voice, Grievance, Normalcy, Trafficking, and Training. This report will focus on the major themes identified by the work of the Task Force and Subcommittees, and the recommendations and activities of the subcommittees.

The Task Force and Subcommittees have created recommendations on the wide range of components included in the state and Federal Strengthening Families Act. Several key issues emerged from the groups as critical to the implementation process:

1. **Cross System Communication and Data Sharing.** Agencies must communicate and share data across systems to improve outcomes and enhance normalcy for youth.
2. **Culture Change.** System-wide culture change is necessary to implement the Strengthening Families Act, starting with the principle that stakeholders should treat youth the way they would want their own children treated.
3. **Family and Youth Voice.** All youth, families, and caregivers should be educated and empowered to drive their cases and receive necessary services and supports.
4. **Transition to Adulthood.** Normalcy is essential for all youth in out-of-home placements to acquire skills and experiences needed for a successful transition to adulthood.

## CROSS-SYSTEM COMMUNICATION RECOMMENDATIONS

1. Systems should collaborate on enhancing normalcy and implementing the Strengthening Families Act while eliminating silos between systems.
2. Training and support should be available to stakeholders in order to increase collaboration and create culture change.
3. Agencies with grievance processes should collect and share data to either create or identify the most effective process, increase transparency, and eliminate duplicative efforts.
4. Create efficiencies in sharing information across systems by removing barriers, sharing data while maintaining privacy, enhancing communication across systems, and strengthening partnerships with out-of-state borders.
5. Entities, including state agencies and providers, should create a process to identify the data necessary to assess and inform trafficking prevention efforts, create a process to collect that data, and utilize a Continuous Quality Improvement Process to review the data.
6. System-wide collaboration is necessary to ensure youth understand and enforce their rights.

### Cross-System Communication and Data

#### Sharing

**Agencies must communicate and share data across systems to improve outcomes and enhance normalcy for youth.**

Both the federal and state SFA require a collaborative effort with entities across the state to work together to implement the provisions. Implementation needs to be coordinated, coherent, and should maximize resources as much as possible without creating silos or incompatible practices between entities that serve youth. Silos occur when systems do not engage in cross-communication, which can prevent families from receiving timely and necessary services. Training and support to increase collaboration and create culture change should be available to stakeholders.

Data and information sharing is crucial to serving youth as effectively as possible. Many agencies and entities collect data. Effective data sharing can reduce duplicative efforts and provide information necessary to improving outcomes for children and families. Data sharing not only improves day-to-day decisions for youth, but also can be critically important to locating youth who have gone missing from care and are at risk of becoming victims of trafficking.

### Culture Change

**System wide culture change is necessary to implement the SFA, starting with the principle that stakeholders should treat youth the way they would want their own child to be treated.**

Both the federal and state SFA remove barriers to youth in foster care, allowing them to experience normalcy in childhood. One significant change is the use of the Reasonable and Prudent Parenting Standard (RPPS) to empower caregivers to make day-to-day decisions for the youth in their care, including accessing normalcy activities. Before this change, getting permission for these activities could be burdensome for both youth and caregivers. There is no absolute definition of “normalcy,” therefore caregivers must make individual decisions appropriate for the youth in their care. This requires thoughtful engagement with the youth to gain a holistic understanding of the youth’s needs, goals, strengths, and risk factors.

Trafficking prevention also requires a change in culture from viewing youth missing from care as “runaways” to recognizing these youth as truly vulnerable. Instead of punishing these youth, stakeholders should respond to these youth as they would their own children.

Training for parents, caregivers, stakeholders, and staff is critical to the success of this culture change. Everyone involved in a youth’s life should have the tools needed to help the youth to access normalcy and to prevent and respond to trafficking.

### CULTURE CHANGE RECOMMENDATIONS

1. The implementation of the Strengthening Families Act represents a culture change, and stakeholders need time to learn together.
2. Training and support to increase collaboration and create culture change should be available to stakeholders.
3. Training for parents, caregivers, stakeholders and staff is essential to make the necessary culture changes.
4. Prevention of sex trafficking requires a culture change from fear based and punitive, to safety and understanding.

## YOUTH AND FAMILY EDUCATION AND EMPOWERMENT RECOMMENDATIONS

1. Youth and caregivers are authorities with valued options.
2. Youth should be regularly noticed of their rights in an age and developmentally appropriate manner.
3. Increase youth access to legal counsel to ensure that the youth's legal rights are protected.
4. Youth need an enforcement mechanism and grievance or complaint process for their rights.
5. Youth and families need more awareness of the resources that are available to them.
6. Foster care should be an opportunity for youth to build a support system of their families, caregivers, Strengthening Families Act Advocates, caseworkers, providers, judges, and Guardians ad Litem. This support system should wrap around the youth to provide access to needed services, supports, and information so that all youth can realize their full potential.

### Family and Youth Empowerment

**All youth, families, and caregivers should be educated and empowered to drive their cases and receive necessary supports and services.**

Youth report that they want and need to know as much information as possible about available resources and services. Many youth indicated that they did not know where to turn to receive the services they needed, or found out about services when it was too late.

Similarly, youth feedback shows that most youth did not know what their rights were while they were system involved. They reported turning to the caseworkers and Guardians ad Litem for support, but without knowledge of their rights, youth could not enforce them. Youth need to be regularly and repeatedly noticed of their rights in age and developmentally appropriate ways.

Youth additionally need increased access to legal counsel in order to protect their legal rights. This access can limit initial youth rights violations, and allow attorneys to assist youth in navigating existing grievance processes. Youth who are returning from a status of missing from care also need access to legal counsel, without which, a youth who has been trafficked may be criminally charged with a number of offenses, including possession of controlled substances.

**Transition to Adulthood**

**Normalcy is essential for all youth in out-of-home placements to acquire skills and experiences needed for a successful transition to adulthood.**

Youth reported through feedback that normalcy is necessary to help acquire the skills and experiences needed to transition to adulthood. Normalcy requires more than just access to extracurricular activities, and should include acquiring life skills, such as driving, job skills, and social activities such as prom and homecoming dances.

The Reasonable Prudent Parent Standard (RPPS) is essential to supporting the development of life skills. RPPS gives caregivers the tools they need to consider the youth's unique needs, strengths, risk factors, and identity to enhance normalcy and help youth gain skills to reach their goals.

Many young adults reported in surveys that they did not receive the skills they needed to support their transition to adulthood. Youth indicated a need to begin learning life skills as soon as possible, prior to their late teenage years. Conflict resolution skills are necessary for youth to maintain employment, roommates, and relationships.

These skills will also help handle conflict in their placements, preventing youth from going missing from care, a primary risk factor for becoming a victim of trafficking.

## TRANSITION TO ADULTHOOD RECOMMENDATIONS

1. Normalcy activities need to include acquiring life and social skills.
2. The [Normalcy Framework](#) put forth by the Normalcy Subcommittee includes the necessary elements to set up youth for success.
3. Youth need to begin the transition to adulthood earlier, and with additional thought to the youth's abilities, wishes, and goals.
4. The Youth Bill of Rights recognizes that youth have a right to receive the skills, knowledge and resources needed to be a successful adult, including the opportunity to hold a job and work to develop skills at an age and developmentally appropriate level.
5. Train foster parents and caregivers on Reasonable Prudent Parenting Standard (RPPS) activities including, employment, support groups, youth councils, normalcy for youth that have experienced trauma, and risk factors for trafficking.

## KEY HIGHLIGHTS

1. The [Draft Youth Bill of Rights](#) should be adopted and enforceable so that youth are ensured all of the rights listed.
2. Youth need to be regularly noticed of their rights in a developmentally and age appropriate manner.
3. Youth need an enforcement mechanism and grievance or complaint process for their rights.
4. Youth and families need more information and awareness of the resources that are available to them.
5. Youth need to begin the transition to adulthood earlier, and with additional thought to the youth's abilities, wishes and goals.
6. Caseworkers, probation officers, and other direct workers are essential in youth achieving positive outcomes.
7. Youth need to be empowered to make medical decisions, both through education and through clarification of a right to refuse or consent to medical treatment.

**Community and Family Voice Subcommittee,  
(Jude Dean and Mickey Sampson, Co-chairs)**

**Purpose:** Focus on youth and caregivers as authorities with valued opinions, identify key strategies to make sure all voices, including youth, are heard; and promote expectations for normalcy that are higher than and minimum requirement.

**Activities:** This group has met five times in 2016, with significant work and collaboration occurring between formal meeting times. Key activities include:

1. Creating a survey to gather youth feedback on the Youth Bill of Rights;
2. Creating a facilitation guide for providers and advocacy agencies to capture youth feedback on the Youth Bill of Rights;
3. Exploring the feasibility of hosting community events to raise awareness and provide supports for youth to achieve normalcy;
4. Beginning preliminary work to create recommendations to increase access to funding for normalcy activities;
5. Reaching out to the Foster Care Reimbursement Rate Committee to gather information on funding for normalcy activities; and
6. Organizing a plan to collaborate with state and community organizations to create a listing of services available to support families.

*Full report of the Community and Family Voice Subcommittee is available here:*

<https://goo.gl/TWxRfH>

### **Grievance Subcommittee (Sarah Forrest and Kim Hawekotte, Co-Chairs)**

**Purpose:** Create recommendations related to a grievance process for the Strengthening Families Act.

**Activities:** This subcommittee met five times in 2016. Key activities include:

1. A survey of current Nebraska child welfare and juvenile justice processes. Over 20 grievance or complaint processes currently exist in Nebraska, including in all branches of government and numerous private child welfare and juvenile justice providers, agencies, and organizations.
2. A survey of young adults in the Bridge to Independence Program on their experiences addressing complaints while they were foster youth. Most youth reported they did not know what their rights were, or what to do if they were violated. Youth reported they were likely to talk to a frontline worker about concerns, wanted help filing a grievance, and to know what to expect after making a complaint.
3. Identifying the components of an ideal grievance process and considering the potential of a Central Navigator to assist youth in filing grievances and enforcing their rights. The group will have additional recommendations on these topics in the next sixty days.

*Full report of the Grievance Subcommittee is available here: <https://goo.gl/3AzZsr>*

### KEY HIGHLIGHTS

1. The grievance process should be for complaints by or on behalf of youth relating to the Youth Bill of Rights.
2. Youth must be noticed of their rights regularly and in an age and developmentally appropriate manner.
3. Create a uniform brochure and electronic communication to provide youth with age and developmentally appropriate information about their rights and what to do if their rights are violated.
4. Youth need education about their rights and grievance processes. The group will explore partnerships with youth advocacy organizations to promote education.
5. Increase youth access to legal counsel to ensure that the youth's legal rights are protected.
6. Agencies with grievance processes should collect and share data to create or identify the most effective process, increase transparency, and eliminate duplicative efforts.

## KEY HIGHLIGHTS

1. Stakeholders should make every effort to make decisions that enhance and maximize normalcy and avoid placements and circumstances that are inherently not normal.
2. Each licensed child caring and child-placing agency, as well as licensed homes, shall be required through licensing regulations to draft and implement a plan to enhance normalcy.
3. Agencies contracting with service providers or having a voucher relationship with service providers should require the service providers to respect and follow youth rights.
4. Normalcy should extend to youth in care in all systems, including child welfare, juvenile justice, behavioral and mental health, and developmental disabilities.
5. Normalcy and reasonable prudent parenting decisions should be culturally informed, and recognize the youth's cultural identity, connections, traditions, and definitions of family.
6. Parents and families should have an opportunity to have a facilitated conference at the beginning of the placement to discuss and come to an agreement about decision making for the child.

### Normalcy Subcommittee (Theresa Barron McKeagney and Tom McBride, Co-Chairs)

**Purpose:** Establish a framework for normalcy, identify the barriers to normalcy, and identify the rights that all youth have in creating normalcy. Acknowledge that normalcy exists on many levels for youth in different settings.

**Activities:** This subcommittee met five times in 2016. The group began by creating foundational principles, recommendations to enhance normalcy, and a framework to enhance normalcy for youth in different levels of care.

The group recognized that normalcy exists on many different levels for youth in different settings. The recommendations of the subcommittee are meant to provide options and a flexible framework to benefit youth and children in care, and should not be read as prescriptive or prohibitive. The framework is not meant to remove or limit the judgement of caregivers, or the rights of youth and parents, but to enhance the judgement of caregivers as they consider the best ways to provide normalcy for youth in their care. The group did not create an absolute definition of "normalcy." Normalcy and best efforts to provide normalcy should be approached with a holistic understanding of the individual youth.

The Recommendations to Enhance Normalcy are systemic recommendations to create and enhance a culture where normalcy for youth is promoted at every level. The Normalcy Framework is meant to guide normalcy decisions for caregivers and stakeholders.

### Normalcy Framework

1. **Normalcy and Families.** Youth should be provided with opportunities to contact individuals identified as family in a way that is productive and safe for the youth, family, and community, regardless of the permanency objective.
2. **Normalcy and Technology.** Youth have age appropriate access to technology on a continuum that allows the youth to attain the necessary technological skills balanced with the need to keep the youth and the community safe.
3. **Normalcy and Schools.** Youth should experience school stability as much as possible to allow the youth to continue learning and accessing the natural supports and extracurricular activities in the school.
4. **Youth Access to Healthcare.** Youth have access to the information and health care they need to allow them to be healthy and safe.
5. **Youth Access to Sustainable, Durable Routines.** Youth should experience a sustainable and durable routine that allows access to natural supports.

Full report of the Normalcy Subcommittee is available here: <https://goo.gl/voSgks>

### NORMALCY FRAMEWORK

1. Youth contact with individuals identified as family is a right, and contact should not be denied unless there exists a documented safety concern or a court order preventing contact.
2. Youth engagement with technology should be used, when possible, to promote and strengthen ties with safe family members.
3. Youth should only move schools when it is in their best interest, and changes should be minimized when at all possible.
4. Youth have access to adequate health care, including mental healthcare, as a right.
5. Caregivers should consider the value of routine and predictability in making RPPS decisions for youth.

## KEY HIGHLIGHTS

1. Prevention efforts should focus on youth missing from care and youth at risk of going missing from care.
2. Normalcy is the backbone to prevention efforts. Normalcy should include more than just access to extracurricular activities, and should include acquiring life skills, such as driving, job skills, and social activities such as prom and homecoming dances. These skills and experiences will allow youth to create protective factors and supportive connections to decrease the risk of going missing from care.
3. Youth who go missing from care should be treated as stakeholders would want their own children to be treated, including the same efforts to find the missing youth.
4. Notifications should include the youth's current picture, and be sent to the youth's SFA advisor, other agencies, including schools, law enforcement, juvenile justice agencies, juvenile probation officers, other places that the youth frequents, including places such as the YMCA, community centers and shared on social media.

### Trafficking Subcommittee (Erin Aliano and Nikki Novak, Co-Chairs)

**Purpose:** Create recommendations related to the prevention of trafficking for system-involved youth and bring a focus on system-involved youth to the current statewide trafficking prevention efforts.

**Activities:** This group has met six times in 2016, with significant work and collaboration occurring between formal meeting times. Key activities include:

1. Identifying youth who are missing from care or at risk of going missing from care as the key focus population;
2. Establishing normalcy as the backbone of prevention efforts.
3. Recommending two key system changes necessary for normalcy and prevention:
  - a. Promote a change in system culture and practices around youth missing from care from fear based and punitive to safety and understanding.
  - b. Enhance cross-systems information sharing and create a collaborative response to youth who are missing from care.
4. Recommending actions for agency response to trafficking:
  - a. Agencies should create a written process for responding to a youth going missing from care, and a youth returning to care.

- b. When youth return to care, include wraparound services and supports and focus on creating a safe space where youth can disclose information about the time spent missing from care.
  - c. Recognize youth who are at a high risk of being trafficked and respond with targeted prevention efforts.
  - d. Identify and recognize the signs of trafficking to create appropriate responses.
5. Recommending actions for agency process, including:
- a. Creating and implementing a screening tool to determine if a youth may have been trafficked.
  - b. Providing youth returning after being missing from care access to a confidential health care screening and treatment, legal counsel, and conversation with a trusted adult to disclose the reasons for leaving care and information about their experiences while missing.

*Full report of the Trafficking Subcommittee is available here: <https://goo.gl/BzNka9>*

### KEY HIGHLIGHTS

- 5. Agencies should create a written process for responding to youth missing from care.
- 6. Youth who go missing from care need access to legal counsel after returning to care

## KEY HIGHLIGHTS

1. Trainings should be archived, continuously available, short form, and accessible on mobile devices.
2. Trainings should be universal and fluid enough to be utilized by a system wide audience, when possible.
3. Trainings should have an evaluation component to ensure that they are effective and individuals are receiving the information they need to implement the state and federal Strengthening Families Act.
4. Trainings should be incorporated into initial hire and preservice trainings, made available and required as soon as possible for professional and families who are already system involved.
5. Refresher trainings should occur annually or on an as needed basis.

**Training Subcommittee (Ashley Brown and Tracey Pearson, Co-Chairs)**

**Purpose:** Support the implementation of the Strengthening Families Act by creating a template to coordinate training for the core components of the Act.

**Activities:** This subcommittee met five time in 2016 to develop a template to guide agencies in training staff, providers, caregivers, families, and the public in the essential components of the Strengthening Families Act. The group undertook an analysis of the statute to determine the SFA's critical elements, and then determine what groups would need training on each element.

The group recognizes that the State is working together to implement the SFA, and additional training will be necessary as the culture continues to change and elements of the act are implemented and refined.

The linked template is a guide for stakeholder organizations to create comprehensive training programs tailored to their needs, and does not create requirements for any particular program or agency.

*Full report of the Training Subcommittee available here: <https://goo.gl/us9pnu>*