

# **Implementation of 2015 Child Protection Laws in Minnesota**

**Legislative Task Force on Child Protection**  
*Report to the Minnesota Legislature*

**February 1, 2016**

# **Legislative Task Force on Child Protection**

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\*denotes members of the Governor's Task Force on the Protection of Children

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# I. Introduction

## A. Executive Summary

In 2015, the Minnesota Legislature passed comprehensive legislation to enhance and improve the state's child protection system in order to better protect some of our most vulnerable citizens (Minnesota Session Laws 2015, Chapter 71, Article 1). The overarching mission of the enacted changes was to ensure that the health and safety of children are considered paramount when making decisions about reports of maltreatment.

While it is recognized that most parents want to keep their children safe, sometimes circumstances or conditions interfere with their ability to do so. When this occurs, ***the health and safety of children must be of paramount concern***. Intervention and prevention efforts must address immediate concerns for child safety and the ongoing risk of abuse or neglect and should engage the protective capacities of families. [Minn. Stat. 626.556, subd. 1]<sup>1</sup>

The Department of Human Services (DHS) was tasked by law with allocating historic investments in county child protection funding for the addition of hundreds of caseworkers and supplemental services. In addition, the Department was directed to develop and implement many small to large reforms, most notably the design of uniform statewide screening and intake guidelines.<sup>2</sup> The Department also took many reform directives from report recommendations<sup>3</sup> set by the Governor's Task Force on the Protection of Children,<sup>4</sup> a group of stakeholders charged to evaluate the child protection system and how decisions are made to ensure child safety.

The Legislative Task Force on Child Protection was created by the 2015 Legislature to review the Department's implementation of both the new law and recommendations from the Governor's Task Force. The task force also provides oversight and monitoring of efforts by counties, tribes, and other state agencies in their efforts to implement laws related to child protection and to assure safety and well-being for children at risk of harm or children in the child welfare system.

The task force met eight times over a six month period before this report was due on February 1, 2016.<sup>5</sup> It was co-chaired by Representative Ron Kresha and Senator Kathy Sheran. The chairs and task force members worked closely with DHS Assistant Commissioner of Children and Family Services Jim Koppel to stay informed about the Department's progress with an eye to the future about long-term milestones and potential legislative recommendations.

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<sup>1</sup> Emphasis added.

<sup>2</sup> Minnesota Department of Human Services. *Minnesota Child Maltreatment Intake, Screening and Response Path Guidelines*. October 2015. <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-5144-ENG>.

<sup>3</sup> Minnesota Department of Human Services. *Governor's Task Force on the Protection of Children Final Report and Recommendations*. March 2015. <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-7057A-ENG>

<sup>4</sup> "Governor's Task Force on the Protection of Children." Minnesota Department of Human Services. <http://mn.gov/dhs/general-public/about-dhs/advisory-councils-task-forces/governors-child-protection-task-force.jsp>

<sup>5</sup> Rf. Appendix I for task force minutes and agendas.

## B. 2015 Child Protection Legislation

Five major areas comprise the 2015 child protection legislation, cited here<sup>6</sup> as sections contained in Minnesota Session Laws 2015, Chapter 71, Article 1:

**1. Background studies.** Background studies are required on county employees hired on or after July 1, 2015, who perform child protection duties, and current employees who are assigned new child protection duties on or after July 1, 2015.

**2. Grant programs.**<sup>7</sup> Two grants are made available. \$1.5 million a year (\$3 million over the biennium) is allocated for grants to address racial disparities in the child welfare system. The commissioner of human services, in partnership with the Legislative Task Force on Child Protection and others, must develop and implement a comprehensive coordinated plan to award funds, and consult with the same when establishing measurable outcomes. The commissioner is required to conduct a biennial evaluation of the grant program and submit a biennial report, and consult with the task force during the evaluation process. Tribes delivering child welfare services are awarded \$75,000 a year over the biennium.

\$23.35 million a year (\$46.7 million over the biennium) is allocated for grants to address county staffing and expand child protection services. The establishment of the grant program includes an allocation formula, a 20 percent withhold for performance, and requires the commissioner to work with stakeholders and the Human Services Performance Council to develop specific outcome measures, and determine whether the performance measures should be modified or phased out. Recommendations are due January 1, 2018.

**3. Modification to the Maltreatment of Minors Act.** Modifications to the Maltreatment of Minors act are made by:

- making the health and safety of the child the paramount concern in the public policy statement.
- clarifying and modifying definitions.
- requiring the agency to consider previous history, if relevant, including screened-out reports, when determining if a new report of maltreatment will be screened-in or screened-out. A person mandated to report shall receive a summary of the disposition of a report, and a person who is not mandated to report may request and shall receive a concise summary of the disposition of the report, unless sending the report is detrimental to the best interests of the child.
- requiring county staff to follow the screening guidelines, and prohibiting the modification of guidelines unless preapproved by the commissioner.
- clarifying the dual reporting requirements between county or tribal agencies and law enforcement.

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<sup>6</sup> Summary based on Minnesota Senate Counsel's handout, "Brief Overview of the Child Protection Provisions Passed in the 2015 Legislative Session." August 10, 2015. <http://www.lcc.leg.mn/tfcp/meetings/08112015/Brief-Overview-of-Child-Protection-Provisions-Passed-in-2015.pdf>

<sup>7</sup> More information about the allocations can be found on the Minnesota Department of Human Services 2015 Bulletins webpage. *Child Protection Allocation*. July 8, 2015. [http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16\\_195649.pdf](http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16_195649.pdf)

- requiring the agency to provide relevant private data to a mandated reporter who made the report and who has an ongoing responsibility for the health, education, or welfare of the child. The agency may provide the data to other mandated reporters with an ongoing responsibility related to the child. A reporter who receives private data must treat the data as private.
- requiring the agency to consult with the county attorney, under certain circumstances, to determine if a Child in Need of Protection Services (CHIPS) petition should be filed.
- requiring that all reports alleging child maltreatment be maintained for five years, instead of 365 days for screened-out and four years for screened-in reports.

**4. Commissioner's duties.** The commissioner of human services is tasked to:

- develop a plan to perform quality assurance reviews of DHS screening practices and decisions, and provide oversight to ensure consistent application of guidelines, appropriate screening decisions, and correct maintenance of reports. The reviews must begin September 30, 2015. The commissioner shall annually report summary results of the reviews to legislative committees with jurisdiction over child protection issues.
- update the screening guidelines no later than October 1, 2015, and publish the new guidelines no later than November 1, 2015. Agency staff must implement by January 1, 2016.
- establish requirements for competency-based initial training, support, and education for child protection supervisors.
- evaluate formulas for staffing and expanded services, and recommend an updated equitable distribution formula beginning in Fiscal Year 2018, and report by December 15, 2016.
- establish the DHS child fatality and near fatality review team to conduct onsite comprehensive reviews of local county and tribal child welfare agency practices when a fatality or near fatality occurs due to child maltreatment in licensed facilities.

**5. Legislative Task Force on Child Protection.** The Legislative Task Force on Child Protection was established to provide oversight and monitoring of state agency efforts, primarily DHS, to improve the child protection system. A report is due February 1, 2016.

## **C. Legislative Task Force on Child Protection: Statutory Directives**

Co-chairs Representative Ron Kresha and Senator Kathy Sheran called the first meeting of the Legislative Task Force on Child Protection on August 11, 2015, pursuant to Minnesota Session Laws 2015, Chapter 71, Article 1, Section 125. The task force was created to:

1. review the efforts being made to implement the recommendations of the Governor's Task Force on the Protection of Children, including a review of the roles and functions of the Office of Ombudsperson for Families;
2. expand the efforts into related areas of the child welfare system;
3. work with the commissioner of human services and community partners to establish and evaluate child protection grants to address disparities in child welfare pursuant to Minnesota Statutes, Section 256E.28; and
4. identify additional areas within the child welfare system that need to be addressed by the legislature.

**Oversight and Monitoring.** The task force may provide oversight and monitoring of:

1. the efforts by the Department of Human Services, counties, and tribes to implement laws related to child protection;
2. efforts by the Department of Human Services, counties, and tribes to implement the recommendations of the Governor's Task Force on the Protection of Children;
3. efforts by agencies, including but not limited to the Minnesota Department of Education, the Minnesota Housing Finance Agency, the Minnesota Department of Corrections, and the Minnesota Department of Public Safety, to work with the Department of Human Services to assure safety and well-being for children at risk of harm or children in the child welfare system; and
4. efforts by the Department of Human Services, other agencies, counties, and tribes to implement best practices to ensure every child is protected from maltreatment and neglect and to ensure every child has the opportunity for healthy development.

**Membership.** As directed by the 2015 Legislature, members of the Legislative Task Force on Child Protection shall include:

1. the four legislators who served as members of the Governor's Task Force on the Protection of Children;

2. two members from the House of Representatives appointed by the speaker, one from the majority party and one from the minority party;
3. two members from the Senate appointed by the majority leader, one from the majority party and one from the minority party.

**Vice Chairs.** The speaker and the majority leader shall each appoint a chair and vice-chair from the membership of the task force.

**Report.** The task force, in cooperation with the commissioner of human services, shall issue a report to the legislature and governor February 1, 2016. The report must contain information on the progress toward implementation of changes to the child protection system, recommendations for additional legislative changes and procedures affecting child protection and child welfare, and funding needs to implement recommended changes.

**Expiration.** The task force shall convene upon the effective date of this section and shall continue until the last day of the 2016 legislative session.



## D. Task Force Work Plan

In order to fully comply with the charges put before the task force, co-chairs and staff arranged a draft work plan to fulfill requirements by the February 1 report deadline.

### LEGISLATIVE TASK FORCE ON CHILD PROTECTION

DRAFT WORK PLAN: AUGUST 2015 -- JANUARY 2015  
(Last Updated: 1/28/2016)

"The task force is created to..."	August 11 House	August 25 Senate	Sept 8 House	Sept 22 Senate	Oct 13 House	Oct 27 Senate	Nov 10 House	Jan 19 Senate	Feb 1 Report Due
<b>Charge 1:</b> Review the efforts made to implement the recommendations of the Governor's Task Force, including a review of roles and functions of the Office of the Ombudsperson for Families	Review of 2015 legislation. DHS overview of implementation efforts.	Task Force review and discussion on Governor's Task Force Final Report & Recs. DHS review of recs timeline.	DHS overview of screening process and timeline for work group recs.	DHS update on and discussion of the draft child maltreatment screening guidelines.	Update on DHS Foster Care Working Group.	Update on DHS Professional Dev. Working Group supervisor competencies and training. DHS overview of final screening guidelines.	Update on draft recs from DHS Foster Care Working Group.	DHS quality assurance reviews update & report on formula evaluation. 24/7 coverage update. Ombudsperson & foster care working groups update.	
<b>Charge 2:</b> Expand the efforts (of the Governor's Task Force) into related areas of the child welfare system							Task Force discussion.		
<b>Charge 3:</b> Work with the commissioner of human services and community partners to establish and evaluate child protection grants to address disparities in child welfare*							Disparity grant RFP draft update.		
<b>Charge 4:</b> Identify additional areas within the child welfare system that need to be addressed by the legislature							Task Force discussion.		
<b>Charge 5:</b> Report to legislature and governor (see below)			Discuss report format.					Draft report discussion.	<b>REPORT DUE</b>

"The task force may provide oversight and monitoring of..."	August 11 House	August 25 Senate	Sept 8 House	Sept 22 Senate	Oct 13 House	Oct 27 Senate	Nov 10 House	Jan 19 Senate	Feb 1 Report Due
1: Efforts by DHS, counties, and tribes to implement laws related to child protection	Preliminary presentation by DHS Asst. Comm. Jim Koppel.	DHS presentation, continued.		Presentation by MACSSA: MN Assoc. of County Social Service Administrators.	Presentation by tribes.				
2: Efforts by DHS, counties, and tribes to implement the recommendations of the Governor's Task Force		DHS reviews implementation timelines of task force recs.		Presentation by MACSSA.	Presentation by tribes.		DHS and MACSSA Child Protection Strategy Workgroup presentation.		
3: Efforts by agencies** to work with DHS to assure safety and well-being for children at risk of harm or children in the child welfare system					Presentation by MDE.	Presentation by MHFA, DOC & DPS.		MDH summary provided to task force.	
4: Efforts by DHS, other agencies, counties, and tribes to implement best practices to ensure every child is protected from maltreatment and neglect and to ensure every child has the opportunity for healthy development	DHS presentation.	DHS presentation.		Counties presentation.	Tribes and MDE presentations.	MHFA, DOC & DPS presentations.			

**Notes:**

\*Pursuant to Minnesota Statutes, section 256E.28: <https://www.revisor.mn.gov/laws/?year=2015&type=0&doctype=Chapter&id=71>

\*\*Including, but not limited to, Minnesota Department of Education, Minnesota Housing Finance Authority, Minnesota Department of Corrections, Minnesota Department of Public Safety

**Report requirements:**

- 1) Information on the progress toward implementation of changes to the child protection system
- 2) Recommendations for additional legislative changes and procedures affecting child protection and child welfare
- 3) Funding needs to implement recommended changes

## E. Key Dates for Child Protection Reform

### October 2014

- October 3: Governor Dayton announces 27 appointments to the Governor’s Task Force on the Protection of Children.<sup>8</sup>
- October 13: The first meeting of the Governor’s Task Force on the Protection of Children is held. Three work groups were created to advise the task force: Screening and Transparency; Family Assessment/Adequacy of Resources; and Training and Supervision of Practice. Meetings continue through March 2015.<sup>9</sup>

### March 2015

- The Governor’s Task Force issues a final report, including 93 short, mid-term, and long-term reform recommendations to the child protection system.<sup>10</sup>
- March 18: Fast-tracked child protection legislation is signed into law, Minnesota Session Laws 2015, Chapter 4 (House File 8), which contained provisions that were identified by the Governor’s Task Force that needed immediate action. The bill revised the public policy statement in law (Minnesota Statutes 626.556, subd. 1) clarifying that the health and safety of children shall be of paramount concern, and repealed the provision that barred consideration of screened-out reports.

### May 22, 2015

- Child protection legislation (Senate File 1458) is signed into law, Minnesota Session Laws 2015, Chapter 71, Article 1. DHS, counties, tribes, and other agencies begin work to implement the changes. Eleven new FTEs are hired at DHS,<sup>11</sup> and four work groups are designed to guide implementation: Intake, Screening, and Response Path Guidelines Work Group; Professional Development Work Group; Child Fatality and Near Fatality Review Work Group; and Recommendations Implementation Planning Work Group.<sup>12</sup>

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<sup>8</sup> “Governor Dayton Announces Appointments to Task Force on the Protection of Children, Declares Domestic Violence Awareness Month.” Office of Governor Dayton, October 3, 2014.

<http://mn.gov/governor/newsroom/pressreleasedetail.jsp?id=102-143938>

<sup>9</sup> “Governor’s Task Force on the Protection of Children.” Minnesota Department of Human Services.

<http://mn.gov/dhs/general-public/about-dhs/advisory-councils-task-forces/governors-child-protection-task-force.jsp>

<sup>10</sup> Minnesota Department of Human Services. *Governor’s Task Force on the Protection of Children Final Report and Recommendations*. March 2015. <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-7057A-ENG>

<sup>11</sup> Testimony from DHS Assistant Commissioner Jim Koppel at the August 25, 2015, meeting of the Legislative Task Force on Child Protection.

<sup>12</sup> Minnesota Department of Human Services. “Work Group Charges and Membership.” Presented to the Legislative Task Force on Child Protection, August 25, 2015.

<http://www.lcc.leg.mn/tfcp/meetings/08252015/Workgroup%20Charges%20and%20Membership.pdf>

## July 2015

- July 1: The majority of the new child protection law takes effect.
- July 21: DHS allocates \$23.35 million in new state funding to counties and tribes to hire about 400 child protection workers.<sup>13</sup>

## August 11, 2015

- The Legislative Task Force on Child Protection meets for the first time. The task force holds eight meetings over the course of six months to review progress by the Department of Human Services, counties, tribes, and other agencies in their efforts toward implementation of the new child protection law.

## February 1, 2016

- The Legislative Task Force on Child Protection submits its report to the legislature.

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<sup>13</sup> “More than \$23 million improves child protection services.” Minnesota Department of Human Services, July 21, 2015. <http://mn.gov/dhs/media/news/news-detail.jsp?id=252-168207>.

More information about the allocations can be found on the Minnesota Department of Human Services 2015 Bulletins webpage. *Child Protection Allocation*. July 8, 2015. [http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16\\_195649.pdf](http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16_195649.pdf)

## **F. Ombudsperson Working Group**

One of the charges of the Legislative Task Force on Child Protection was to review the roles and functions of the Office of Ombudsperson for Families. The Office is an independent state agency with four ombudspersons working with four different communities of color (American Indian Families, Spanish Speaking Families, African American Families, and Asian-Pacific Families). Each ombudsperson works independently from but in collaboration with each of the following groups: the Indian Affairs Council, the Chicano Latino Affairs Council, the Council on Black Minnesotans, and the Council on Asian-Pacific Minnesotans.

The co-chairs of the Legislative Task Force on Child Protection created an Ombudsperson Working Group, led by members Senator Jeff Hayden and Representative Joe Mullery. The legislators met with ombudspersons and other stakeholders starting in September 2015 and will continue to meet through the 2016 legislative session.

### **About the Office of Ombudsperson for Families**

According to the Office of Ombudsperson for Families:

The Office of Ombudsperson for Families was created in 1991 by the state legislature to provide a fair, neutral and transparent environment between state and county agencies and families of color in Minnesota. We strengthen family connections through child welfare redesign that creates racial equity in services, and improves outcomes of all children of color.

An ombudsperson is an independent government official responsible for reviewing government and government regulated agencies in an effort to ensure that their practices are fair, reasonable and appropriate. To do this, the ombudsperson:

- Receives complaints,
- Reviews, investigates and if appropriate,
- Makes recommendations to remedy the complaints.

In Minnesota, our legislature listens to citizens' concerns. To address their concerns, specialized ombudsperson programs help those citizens experiencing confusion, unfairness, or non-responsiveness from government agencies or programs. These programs offer free-of-charge, confidential assistance to citizens faced with these situations.<sup>14</sup>

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<sup>14</sup> Block quote from The Office of Ombudsperson for Families website, with updated language (ombudsman changed to ombudsperson). "About Us." <http://mn.gov/ombudfam/>

## **Working Group Conclusions**

At the January 19, 2016, meeting of the Legislative Task Force on Child Protection, Representative Mullery and Senator Hayden provided an update about their conversations with ombudspersons for families.

Upon initial review, a number of suggestions were brought forth for further consideration:

1. Review the reorganization of office structure and duties.
2. Review the idea of a new Office of Ombudsperson for Children, which would be responsible for advocating for all children in the child protection system.
3. Review the advisory role of the current ombudsperson.
4. Review and request funding when agreed-upon changes are put forth.

Senator Hayden reported that he is awaiting detailed material from all ombudspersons about their concerns and wishes, and he will discuss it with them when it has been received. His desire is to ensure all voices are heard so that any changes to the structure or duties of ombudspersons are reached by consensus. He is hopeful policy recommendations can be made by the early part of the 2016 legislative session, which begins March 8.

## **II. Progress toward Implementation of Child Protection Legislation**

### **A. Department of Human Services**

#### **Work Group Structure**

The Department of Human Services (DHS) organized four work groups following implementation of the 2015 child protection laws and in consideration of the 93 recommendations put forth by the Governor’s Task Force on the Protection of Children:

- Intake, Screening, and Response Path Guidelines Work Group
- Professional Development Work Group
- Child Fatality and Near Fatality Review Work Group
- Recommendations Implementation Planning Work Group<sup>15</sup>

In total, about 75 stakeholders were involved, including representatives from counties, tribes, and DHS; court administrators, county attorneys, and public defenders; law enforcement officials; medical and mental health professionals; parent leaders and school representatives; mandated reporters; domestic violence specialists; child development specialists; cultural consultants; and others.

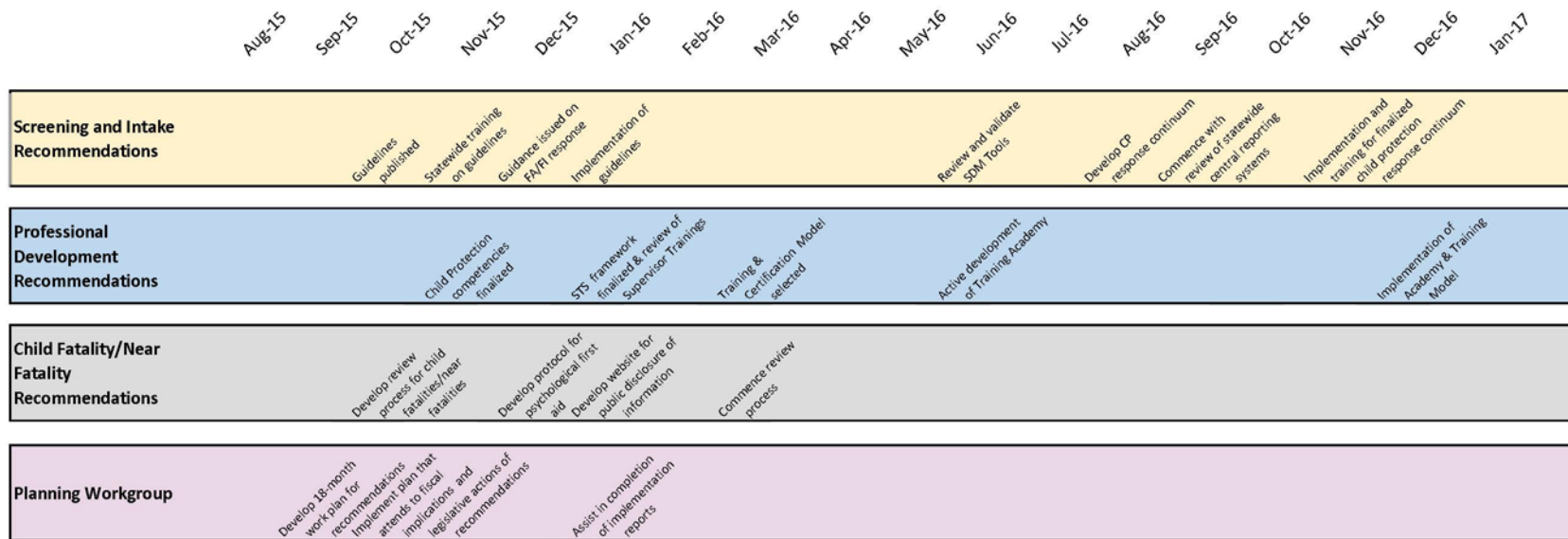
The Department developed a timeline of task force recommendations milestones for each work group (rf. the next page) and would regularly update the Legislative Task Force on Child Protection about its progress to reach those goals.

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<sup>15</sup> Minnesota Department of Human Services. “Work Group Charges and Membership.” Presented to the Legislative Task Force on Child Protection, August 25, 2015.  
<http://www.lcc.leg.mn/tfcp/meetings/08252015/Workgroup%20Charges%20and%20Membership.pdf>

# DHS Implementation Timeline

## The implementation of taskforce recommendations milestones



**Note:** Cultural responsiveness, equity, and disparities recommendations are intended to be integrated within the implementation process of all recommendations.

### Key

SDM	Structured Decision Making
FA	Family Assessment
FI	Family Investigation
STS	Secondary Traumatic Stress
CP	Child Protection



## Funding Allocation

### *County Funding*

The 2015 Legislature appropriated \$23.35 million annually to the Minnesota Department of Human Services (DHS) to be allocated to county agencies for child protection staffing and services. The intent is to improve the current child protection worker caseloads so that more timely case work will occur to support children in need of protection.<sup>16</sup> In July, DHS distributed 80 percent of those dollars. The funding provides for nearly 400 new child protection workers and additional services.

DHS uses a three-pronged approach to determine how much money each county receives. Appendix II-A<sup>17</sup> shows the amount of each allocation to county agencies determined by the following formula:

- 1. Child population.**

Fifty percent of the funds must be distributed to county agencies based on the child population residing in the county.

- 2. Screened-in reports.**

Twenty-five percent of the funds must be distributed based on the number of screened-in reports of child maltreatment in the county.

- 3. Open child protection case management.**

Twenty-five percent of the funds must be distributed based on the number of open child protection case management cases in the county.

Only 80 percent of the funds were delivered in July because payments are based on yearly performance standards. The remaining 20 percent is retained until January of the next calendar year when DHS determines that the county agency has satisfied two quality assurance requirements:

- Timely face-to-face contact with alleged child victims.**

To receive a 10 percent performance allocation, county child protection workers must have timely face-to-face contact with at least 90 percent of all alleged child victims of screened-in maltreatment reports. The face-to-face contact with the child and primary caregiver shall occur immediately if sexual abuse or substantial child endangerment is alleged and within five calendar days for all other reports.

The Department's data in the Social Service Information System (SSIS) for the measure "timely face-to-face contact" is incomplete at this time as counties continue to update SSIS with data. The Department has historically extracted data for this

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<sup>16</sup> Minnesota Department of Human Services. *Child Protection Allocation*. July 8, 2015. [http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16\\_195649.pdf](http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16_195649.pdf)

<sup>17</sup> Ibid. Rf. Appendix II for more information.

measure from SSIS in April or May of the following calendar year to ensure confidence that the data is complete. At this time, the SSIS data should be viewed as incomplete for this measure as counties are still entering data for October – December 2015. To provide the best possible projection, data was extracted for the time period January 1, 2015, through November 30, 2015, and shows that the state average for this measure is 78.3 percent, which is below the established standard of 90 percent. Twenty-nine counties currently meet or exceed this standard. This is subject to change in the following weeks given continued data entry.

- **Monthly caseworker visits.**

To receive the additional 10 percent performance allocation, the total number of visits made by caseworkers on a monthly basis to children in foster care and children receiving child protection services while residing in their home must be at least 90 percent of the total number of such visits that would occur if every child were visited once per month.

The Department's data in the SSIS for the measure "monthly caseworker visits" is incomplete at this time as counties continue to update the SSIS with data. The Department has historically extracted data for this measure from SSIS in April or May of the following calendar year to ensure confidence that the data is complete. At this time, the SSIS data should be viewed as incomplete for this measure as counties are still entering data for October – December 2015. To provide the best possible projection, data was extracted for the time period January 1, 2015, through November 30, 2015, and shows that the state average for this measure is 82.4 percent, which is below the established standard of 90 percent. Forty-three counties currently meet or exceed this standard. This is subject to change in the following weeks given continued data entry.

According to DHS, if requirements are not met, the remaining funds will be redistributed to county agencies meeting the standards.

### *Disparities Grants*

The 2015 Minnesota Legislature allocated \$1.5 million for grants to address disparities in child welfare to eligible entities for the development, implementation, and evaluation of activities to address racial disparities and disproportionality in the child welfare system by:

1. identifying and addressing structural factors that contribute to inequities in outcomes;
2. identifying and implementing strategies to reduce racial disparities in treatment and outcomes;
3. using cultural values, beliefs, and practices of families, communities, and tribes for case planning, service design, and decision-making processes;
4. using placement and reunification strategies to maintain and support relationships and connections between parents, siblings, children, kin, significant others, and tribes; and

5. supporting families in the context of their communities and tribes to safely divert them from the child welfare system, whenever possible.<sup>18</sup>

During the month of October, DHS held two public meetings to engage with culturally-based community organizations, the Indian Affairs Council, the Council on Affairs of Chicano/Latino People, the Council on Black Minnesotans, the Council on Asian-Pacific Minnesotans, the American Indian Child Welfare Advisory Council, counties, and tribal governments to develop a plan to award grants that 1) address racial disparities and disproportionality in the child welfare system; 2) establish measurable outcomes for the grants; and 3) develop criteria and procedures to allocate the grants.<sup>19</sup>

The first meeting was held at the University of Minnesota's Urban Research and Outreach-Engagement Center (UROC) in Minneapolis, and the second convened at Prairie's Edge Casino Resort in Granite Falls. The latter was scheduled when and where a statewide Indian Child Welfare Council meeting was being held. The public also had an opportunity to submit comments in writing.

Through community conversation and by directives set by the 2015 Legislature, DHS established extensive parameters for a request for funding proposal (RFP).<sup>20</sup> The RFP was posted on November 16, 2015. DHS sought applications that outlined not only a comprehensive plan and the Logic Model to evaluate effectiveness, but also outcomes that address:

- Poverty
- Chemical dependency
- Serious parental mental illness
- Having four or more children in a household
- Homelessness
- Prenatal drug exposure/addiction
- Exposure to violence (e.g., neighborhood or domestic violence)

Proposals were due January 26, 2016, and the selection of successful responders will be made public on February 26. DHS has estimated that three to five planning grants roughly in the \$50,000 to \$100,000 range will be issued, as will three to five much larger implementation grants. The idea of major implementation grants was explained as the Department's desire to receive proposals big enough to 'move the needle' on disparities.<sup>21</sup>

Contracts with successful responders will begin March 15, 2016.

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<sup>18</sup> Minnesota Statute, 256E.28.

<sup>19</sup> Minnesota Department of Human Services. "Notice of public meetings and comment period for child protection grants to address child welfare disparities." Presented to the Legislative Task Force on September 22, 2015. <http://www.lcc.leg.mn/tfcp/meetings/09222015/DHS%20Community%20Meetings%20on%20Disparity%20Grants.pdf>

<sup>20</sup> Minnesota Department of Human Services Child Safety and Permanency Division. "Request for Proposals for Qualified Grantee to Address Child Welfare Disparities." November 16, 2015. [http://www.dhs.state.mn.us/main/groups/business\\_partners/documents/pub/dhs16\\_198155.pdf](http://www.dhs.state.mn.us/main/groups/business_partners/documents/pub/dhs16_198155.pdf)

<sup>21</sup> Minnesota Department of Human Services. "Child Protection Disparities RFP Questions and Answers." December 16, 2015. [http://www.dhs.state.mn.us/main/groups/business\\_partners/documents/pub/dhs16\\_198647.pdf](http://www.dhs.state.mn.us/main/groups/business_partners/documents/pub/dhs16_198647.pdf)

## Screening, Intake, and Response Path Guidelines

In addition to the new county caseworker funding, the establishment of uniform statewide guidelines for child maltreatment intake, screening, and response paths has received the most attention from legislators, the media, and the public.

Prior to 2015, each county agency had flexibility in its interpretation and implementation of state guidelines that addressed how maltreatment was reported, screened (i.e., investigated), and how the child's path afterward was determined. The Governor's Task Force recommended new protocols and guidance to ensure uniformity and consistency in addressing cases of maltreatment, and the legislature directed these recommendations via changes to the Maltreatment of Minors Act.

DHS established the Intake, Screening, and Response Path Work Group to assist in the development and revision of Department guidelines. The work group was advised that new items must include:

1. Improved intake practices involving receiving a report, probative interviews with reporters, minimum information standard, and conducting necessary collateral contacts for screening to occur within 24 hours of receipt of the report.
2. Required documentation of "screened-in" and "screened-out" child maltreatment reports.<sup>22</sup>
3. Improved team screening practices with supervisory consult and the review and consideration of previous screened-out reports and child protective services history in the screening or new presenting allegations of abuse and neglect.
4. Clarified protocols for cross-reporting and mandated reporter notification and involvement.
5. Clear, safety-focused response path assignment criteria for Differential Response and Traditional Response.<sup>23</sup>

The first and second directives were not implemented without considerable discussion.

First, prior to 2015 the state had already directed counties to provide 24-hour/7-days-a-week coverage of child protective services in order to "screen-in" or "screen-out" a report within a day and to respond to reports alleging imminent danger in a timely fashion. Over the years, counties have solved 24/7 coverage in many different ways, whether through trained law enforcement, "on call" child protection workers, or regionally-shared resources. The renewed push for 24/7 coverage requires counties to transition to find ways to provide coverage by professional social workers on the weekend. There is a standing agreement between DHS and the counties that 24/7

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<sup>22</sup> A "screened-in" report is one where the child enters the child protection system. A "screened-out" report means the child does not enter the child protection system, however, services may be offered. Rf. a graph of the screening process on page 19.

<sup>23</sup> Minnesota Department of Human Services. "Work Group Charges and Membership." Presented to the Legislative Task Force on Child Protection, August 25, 2015.

coverage needs to be in place this year, but not immediately on January 1, as previously determined. The task force continues to hear updates on the progress of this issue.

Second, legislation was passed in 2014 (Minnesota Session Laws 2014, Chapter 291, Article II, subd. 36) that disallowed agencies from reviewing and considering screened-out reports when making determinations about current screening decisions. Two pieces of 2015 legislation (House File 8 and Senate File 1458) repealed that law. According to the new guidelines, when determining whether a report will be screened-in or screened-out, an agency receiving a report **must** consider, when relevant, all previous history, including but not limited to, reports that were previously screened-out and Family Assessments or Family Investigations previously completed.<sup>24</sup>

Some members of the task force had concerns about the definition of “substantial child endangerment” and what constitutes abuse in some cultures of color in Minnesota. That is, does spanking constitute abuse, or is it discipline? DHS continues to engage with culturally-based community groups to ensure cultural competence in the maltreatment screening process.

In summary, DHS provided many updates to the task force about its progress during the process of redesigning screening, intake, and response path guidelines. After several months of meetings and planning, the new guidelines were implemented on January 1, 2016. The 66-page document provides direction for local child welfare agencies, promotes statewide consistency in definition and practice, and informs the public about types of child safety concerns that should be reported. If county agencies seek to make changes to the guidelines, they must be pre-approved by DHS. As stated in the Introduction of this report, the guidelines were developed with the health and safety of children as the paramount concern.

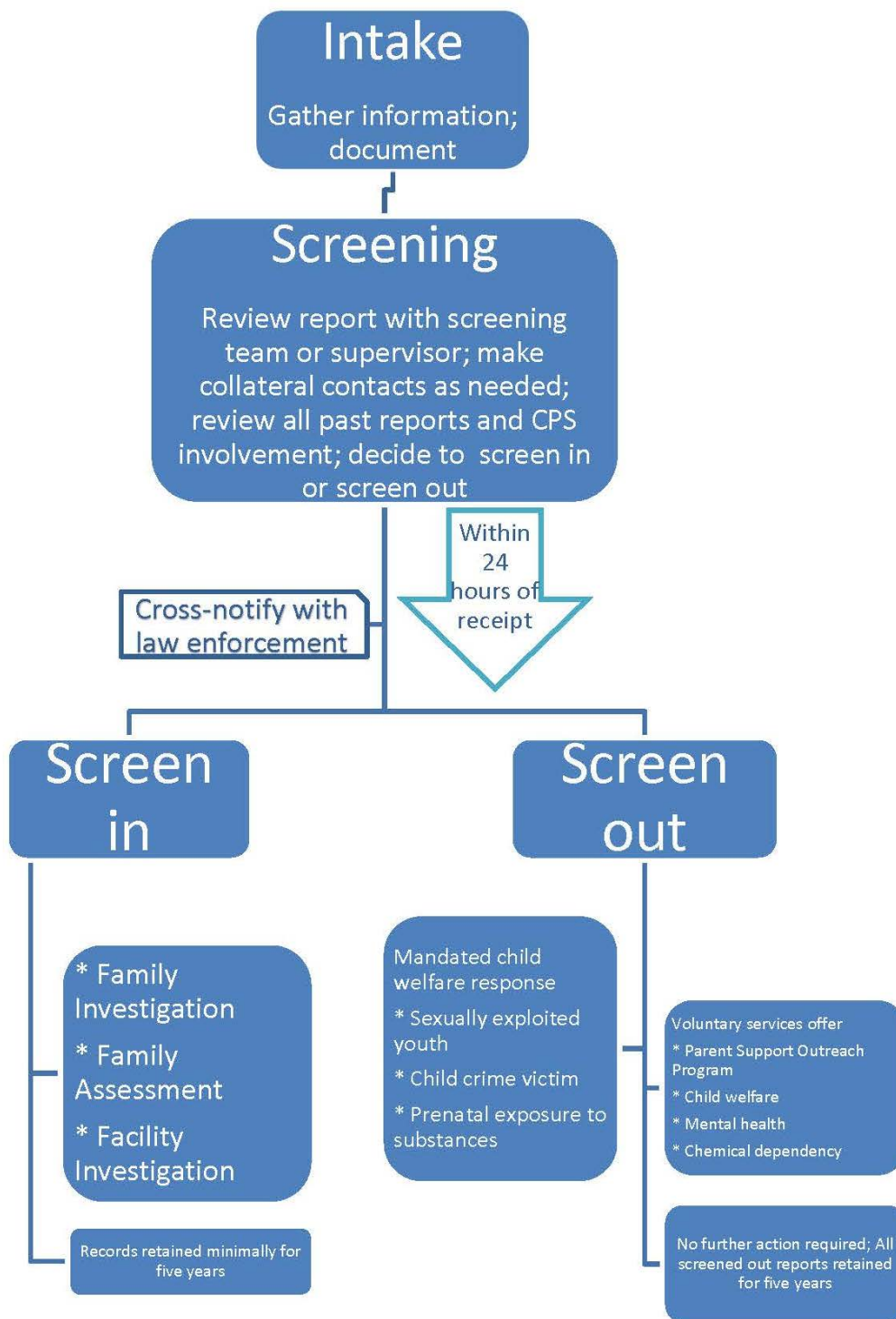
DHS issued the “Revised Child Maltreatment Intake, Screening and Response Path Guidelines Bulletin” to inform counties and tribes of the revised guidelines, and provide direction for receiving, screening, and assigning reports of alleged child maltreatment for a child protection response.<sup>25</sup>

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<sup>24</sup> Minnesota Department of Human Services. *Minnesota Child Maltreatment Intake, Screening and Response Path Guidelines*. October 2015, page 24, emphasis added. <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-5144-ENG>.

<sup>25</sup> Minnesota Department of Human Services. *Revised Child Maltreatment Intake, Screening and Response Path Guidelines Bulletin*. December 31, 2015. <http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs-283280.pdf>

*Flow Chart of the Screening Process*<sup>26</sup>



<sup>26</sup> Minnesota Department of Human Services. "Intake Screening Flowchart." Presented to the Legislative Task Force on Child Protection, September 8, 2015.

## Professional Development Work Group

DHS coordinated the Professional Development Work Group to assist in the formation and revision of the Department's training and professional development models and strategies for new, ongoing, and supervisory staff.<sup>27</sup> According to the final report from the Governor's Task Force, "The quality of training for child protection workers, supervisors and managers is a critical factor in supporting a high performing child protection system."<sup>28</sup>

The work group was charged with attending to the following Task Force recommendations:

- Review and implement a set of competencies for child protection workers and supervisors. (Rec. 65, A.1)
- Design the framework Child Welfare Training Academy, an evolution of the current training for new workers that can be customized, based on a worker's academic preparation and workforce experience. (Rec. 65, A.2, A.3 & A.4)
- Articulate criteria for certification of new child protection workers, including minimum knowledge and skills in applying Indian Child Welfare Act (ICWA) and working with American Indian families. (Rec. 65, B & ICWA Council Rec. 12)
- Develop ongoing, structured professional development opportunities for child protection workers and supervisors. (Rec. 72)
- Develop the framework for a Secondary Traumatic Stress (STS) Plan to help counties and tribes support the workforce in the identification and treatment of STS. (Rec. 69)
- Develop training opportunities that foster a multidisciplinary approach for child protection workers responding to reports of child maltreatment. (Rec. 73)
- Plan the implementation of supervisor training for new and existing supervisors. (Rec. 66)
- Consider strategies to promote recruitment and retention of child protection staff and supervisors through enhanced training and support.

Members of the Professional Development Work Group provided a progress update to the task force on October 27, 2015.<sup>29</sup> A draft of Child Welfare Competencies was handed out to members, which lists a detailed collection of competencies instrumental in implementation of the Minnesota Child Welfare Practice Model.<sup>30</sup>

The competencies are divided into 12 areas of skill, listed below. These skill areas are drawn from the Minnesota Child Welfare Practice Model, with the addition of three new skill areas.

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<sup>27</sup> Minnesota Department of Human Services. "Work Group Charges and Membership." Presented to the Legislative Task Force on Child Protection, August 25, 2015.

<sup>28</sup> Minnesota Department of Human Services. *Governor's Task Force on the Protection of Children Final Report and Recommendations*. March 2015, page 23. <https://edocs.dhs.state.mn.us/lfservlet/Public/DHS-7057A-ENG>.

<sup>29</sup> Minnesota Department of Human Services. "Professional Development Workgroup Progress Update." Presented to the Legislative Task Force on Child Protection, October 27, 2015. <http://www.lcc.leg.mn/tfcp/meetings/10272015/DHS-Legislative%20Taskforce%20-%20Prof%20Dev.pdf>

<sup>30</sup> Minnesota Department of Human Services. "Child Welfare Competencies: Minnesota's Child Welfare Competency Model." Presented to the Legislative Task Force on Child Protection, October 27, 2015. [http://www.lcc.leg.mn/tfcp/meetings/10272015/DHS-%20CompetenciesLO\\_K2.pdf](http://www.lcc.leg.mn/tfcp/meetings/10272015/DHS-%20CompetenciesLO_K2.pdf)

The original skill areas from the Practice Model include the following:

- Engaging
- Assessing
- Partnering
- Planning
- Implementing
- Evaluating
- Advocacy
- Communication
- Cultural Competence (changed to Cultural Humility through feedback from work group members)

The following three skill areas were added during competency development to further define skills needed for effective child welfare practice.

- **Policy:** Understanding policies that affect delivery of child welfare services and the mission, priorities, and resource allocation that guide the development and implementation of policy in public and private non-profit social services.
- **Supervision and Management:** Recognizes the importance of the supervisory role in achieving desired service and organizational outcomes for children, youth, and families and other stakeholders, in assessing and managing performance, and enhancing the ability to achieve positive outcomes through continuous improvement efforts.
- **Professionalism in Child Welfare:** Demonstrating professional competence in child welfare while providing respectful and culturally appropriate services to children and families, and demonstrating professional use of self within the values and ethics of social work practice.

The work group members solicited feedback on the competencies throughout their meetings in the fall of 2015, including discussions at two ICWA Council meetings. The work group, with consultation from ICWA Council, identified a need to expand the child welfare worker competencies to include a section focused on specific competencies related to working with American Indian families. A set of competencies for supervisors also needs to be developed based upon the child welfare worker competencies. The scope of this work will likely fall outside of the parameters of the current work group, so additional partners will need to be engaged in an ongoing committee on competency oversight and development. An initial set of competencies has been approved by the work group and is currently being reviewed by DHS Division of Child Safety and Permanency leadership and will be published after the leadership review.

The work group has now moved into development of a framework for new worker and ongoing worker training under the new Child Welfare Academy. A draft training framework was discussed at the January work group meeting that would include a tiered training approach for new worker training, both online and in-person instruction, simulation, and scenario-based methods, and a new worker certification process.



The work group will continue to refine the new worker training/Child Welfare Academy framework over the course of the final two meetings. At the conclusion of the work group, a structural framework for the Academy is anticipated. Specific content and curriculum decisions are beyond the scope of the current work group and an additional working committee will be initiated to begin this phase of planning for the Academy.

To address the Governor's Task Force recommendation on developing multidisciplinary approaches to responding to child maltreatment, DHS staff are working with Children's Justice Act Committee members to recreate the TEAM Conference for multidisciplinary team (MDT) training. The first annual conference is being planned for fall 2016.

The 2015 law directed the commissioner of DHS to establish requirements for competency-based initial training, support, and education for child protection supervisors. In the fall, the work group reviewed current DHS training offered for child protection supervisors. Currently, there are two series of trainings geared specifically at the supervisory level—Leadership Core and Strengthening Child Welfare Supervision.

Leadership Core includes classes on the following topics:

- Introduction to Leadership, Management, and Organization
- Multicultural Perspectives in the Workplace
- Situational Leadership
- Leading People
- Foundations of Team Building
- EQ: Emotional Intelligence & 6-Month Review

The Strengthening Child Welfare Supervision series covers the following topics:

- Minnesota Child Welfare Practice Model and Supervision Guide
- Strengths-Based, Solution-Focused Supervision
- Trauma-Informed Supervision
- Using SSIS to Strengthen Supervision
- Disparities & Disproportionalities in Child Welfare regarding African-American Families
- Disparities & Disproportionalities in Child Welfare regarding American Indian Families
- Administrative Supervision
- Review & Renewal

In February, the work group will review child welfare supervisor training requirements across the country and discuss proposals for clarifying and strengthening the language on supervisory training requirements in Minnesota law.

In March, the work group will review and make recommendations on a blueprint for counties and tribes to use in developing Secondary Traumatic Stress response plans to support the well-being of the child protection workforce in Minnesota. It is anticipated that this work group will conclude its work in March 2016.

## **Child Fatality and Near Fatality Review Work Group**

DHS formed the Child Protection Fatality and Near Fatality Review Work Group to assist in implementation of department guidelines for reviewing child fatalities and near fatalities due to child maltreatment and those that occur in licensed facilities that are not due to natural causes.

The work group was directed that the review process shall assess the entire child protective services process, from the point of a mandated report detailing the alleged maltreatment through the ongoing case management process. The review process should also address a critical debriefing response/process, as well as identification and mitigation strategies for secondary-trauma that may be involved with workers, supervisors, agency staff, and community members.<sup>31</sup> The Governor's Task Force on the Protection of Children also recommended the expansion of the information currently provided to the public to be addressed.

The Child Protection Fatality and Near Fatality Review Work Group was convened on September 8, 2015, for the purpose of addressing implementation of recommendation 75 from the Governor's Task Force on the Protection of Children. The work group has met four times and is scheduled to complete its work on March 8, 2016. The child fatality and near fatality review process is scheduled to start July 1, 2016.

### **Progress of the Child Fatality and Near Fatality Review Work Group has included:**

- Reviewing all state and federal statutes that apply to the new review process and release of information to the public.
- Creating a child fatality and near fatality review work flow process.
- Discussing and developing DHS's role in addressing secondary trauma to workers, supervisors, and agencies.
- Reviewing other states' methodologies of releasing information to the public regarding child fatalities and near fatalities.
- Providing feedback to create a review tool, public access website, and statute changes.
- Developing a tip sheet for county staff and physicians to determine if a case meets the near fatality statutory requirement.

### **Processes to be finalized at the March 8, 2016, work group meeting include:**

- Finalizing report content for public release of information on a DHS public website.
- Finalizing recommendations for the report tool that will critically examine the elements of the case.

### **Other processes to be completed prior to initial start date include:**

- Determining with MACSSA (Minnesota Association of County Social Service Administrators) the county supervisor peer reviewers.

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<sup>31</sup> Minnesota Department of Human Services. "Work Group Charges and Membership." Presented to the Legislative Task Force on Child Protection, August 25, 2015.

- Partnering with the ICWA Advisory Council to identify peer reviewers for cases that involve American Indian children.
- Training of peer reviewers.
- Developing a quality assurance unit to lead the child fatality and near fatality process.
- Producing a public website, DHS Bulletin, and state training.

## **Recommendations Implementation Planning Work Group**

The Recommendations Implementation Planning Work Group is charged with assisting the Minnesota Department of Human Services Child Safety and Permanency Division in implementation that ensures promising and evidence-based best practices focused on outcomes of child safety, well-being, and permanency. Additionally, the work group will ensure cultural and racial equity in implementation and support practices that are culturally affirming. The work group will assist in determining the impact of implementing the recommendations from the Governor’s Task Force on the Protection of Children, and develop a plan to ensure each recommendation is thoroughly reviewed and addressed through the following activities:

- Assist the Department in developing a two- to five-year implementation work plan with prioritizations to address Task Force recommendations. The rate of system change through implementation will be paced for high quality implementation and “quick wins” will be achieved throughout the process.
- Ensure throughout discussions and implementation that recommendations result in realistic, practical, and achievable implementation.
- Work to assess and connect implementation with external work groups and initiatives to build overall capacity for Minnesota’s child protection system and minimize duplication of effort.
- Assist in the coordination and tracking of implementation work groups and review implementation outcomes as strategies and plans are identified.
- Assist the Department in the review and analysis of quantitative and qualitative data for the purpose of data-informed decision-making in activities of implementation.
- Assist the Department in determining costs for implementation of practice and policy recommendations and assist in prioritization of items for the development of legislative proposals for the 2016 and 2017 legislative sessions and beyond.
- Work with the Department in the completion and submission of required progress and summary reports to the Legislative Task Force on Child Protection.

The Recommendations Implementation Planning Work Group is comprised of child welfare experts who provide representation from various stakeholder groups and implementation committees. Member representation is included from the following areas:

- County Child Welfare Representatives (4)
- Law Enforcement (2)
- Parent Leaders (2)
- Children’s Mental Health – DHS (1)
- Minnesota County Attorneys Association (1)

- CornerHouse (1)
- Northpoint Health & Wellness Center (1)
- National Child Protection Experts – Casey Family Programs (1)
- DHS Child Safety and Permanency Division (2)
- DHS Child Safety and Permanency Division Indian Child Welfare Act Unit (1)  
(DHS CSP ICWA staff serve as liaison with Tribal Child Welfare/Tribal Attorneys)
- Academic Child Welfare Experts – University of Minnesota – Center for Advanced Studies in Child Welfare.

As a note, stakeholders will be consulted ad hoc for specialization in the areas of Domestic Violence, Addiction/Dependency, and Child Development.

The work group first met on November 18, 2015, and will continue to meet monthly through 2016.

## Child Foster Care Work Group

The Commissioner’s Child Foster Care Work Group was designed to advise the commissioner and department leadership on needed systemic and practice improvements in the child foster care system in Minnesota. The work group reviewed the child foster care system to assess practices, especially at critical decision points; to ensure children are safe; their well-being is improved; and to help them find permanent homes when reunification with parents is not possible.

The work group charge focused on three specific areas:<sup>32</sup>

1. **Recruitment, application, and licensing processes** for foster care homes overseen by county, tribal, and private agencies.
2. **Policies on how children are removed from their homes**, with a focus on how to minimize and treat trauma, including by keeping sibling groups together.
3. **Quality and availability of staffing and resources**, including resources for case coordination to improve educational outcomes, medication management, screenings, and service referral/monitoring, family visitation planning, and reunification/permanency planning.

Membership of the work group consisted of participants appointed by the commissioner representing the areas of:

- Minnesota Department of Corrections
- Minnesota Department of Education
- Minnesota Judicial Branch
- Tribal courts
- County and tribal child welfare agencies
- African-American child welfare service agency

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<sup>32</sup> Minnesota Department of Human Services. “Child Foster Care Work Plan.” August 10, 2015.  
<http://www.lcc.leg.mn/tfcp/meetings/10132015/Child%20Foster%20Care%20Work%20Plan%20Draft.pdf>

- Private providers
- Law enforcement
- Foster youth
- Foster parents
- Parents
- DHS Child Safety and Permanency Division
- DHS Community Supports Administration
- DHS Office of Inspector General Licensing Division

The work group held its first meeting August 4, 2015, and met twice monthly through December 2015. The work group was co-chaired by DHS Children and Family Services Assistant Commissioner Jim Koppel and Jerry Kerber from the Office of Inspector General.

The work group membership organized into three separate subgroups to examine each focus area and identify recommendations for improvement. This process included meeting with stakeholders around the state and inviting additional professionals of varied backgrounds to lend expertise.

Each subgroup reported out to the larger work group on what was learned about current practice, and recommendations for improvement. The larger work group participated in refinement of the recommendations for each focus area which led to the development of the initial report.<sup>33</sup>

The recommendations from the Governor's Task Force are consistent with each of the three specific focus areas of the work group charge. The initial report with recommendations was developed and shared with DHS Commissioner Emily Johnson Piper in support of the final report and recommendations, which are due March 1, 2016.

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<sup>33</sup> Minnesota Department of Human Services. *Commissioner's Child Foster Care Group Final Report and Recommendations*. December 2015. Presented to the Legislative Task Force, January 19, 2016. <http://www.lcc.leg.mn/tfcp/meetings/01192016/Child%20Foster%20Care%20Work%20Group%20Report%20%20December%202015.pdf>

## B. Counties

County representatives from the Minnesota Association of County Social Services Administrators (MACSSA) presented to the task force on a few occasions. As recipients of the \$23.35 million in state funding, counties are largely responsible for nearly 400 new hires and their training.<sup>34</sup> At the same time, 80 percent of the state's counties have seen an increase in reports, assessments, and case management since 2013.

While the counties worked hard to implement the many changes made by the 2015 Legislature and the recommendations of the Governor's Task Force, they noted that the influx of new staff plus the increased workload have caused pressure points for some counties. There are additional challenges of not having a qualified workforce to fill the new positions, while small rural counties have trouble recruiting. The lack of available foster care and rising costs of out-of-home placements have also added to the pressure.

DHS created a short-term plan to address the increase in new workers entering the child protection workforce. The Department convened an advisory group with representation from counties to discuss modifications to current training for new workers in order to accommodate the large influx of new staff. With direction from this advisory group, the Department initiated the following actions:

- Developed a temporary plan to address the training needs of new child protection workforce, including streamlined content and condensed timeline.
- Made all online training sessions available to new workers from first day of practice.
- Partnered with county/tribal supervisors to reinforce transfer of learning from training to practice at the local agency/county.
- Increased classroom size to accommodate larger learner cohorts.
- Removed "hands-on" training of Social Services Information System (SSIS) components, which will now be available through the separate "SSIS Basics" course.
- Accommodated geographic demand for new worker training by making classroom sessions available in additional locations throughout Greater Minnesota.

In April 2015, MACSSA took proactive steps to approach prioritizing the Governor's Task Force recommendations and identifying implementation criteria. In June 2015, MACSSA partnered with DHS to establish a Child Protection Strategy Work Group. The group prioritized the 93 final recommendations from the Governor's Task Force and developed an implementation framework that was deliberate, realistic, time sensitive, and supported by best practices to provide the best outcomes for children and families.

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<sup>34</sup> According to MACSSA, 253 new child protection staff had been hired as of September 30, 2015, with an additional 150 expected by the end of the year.

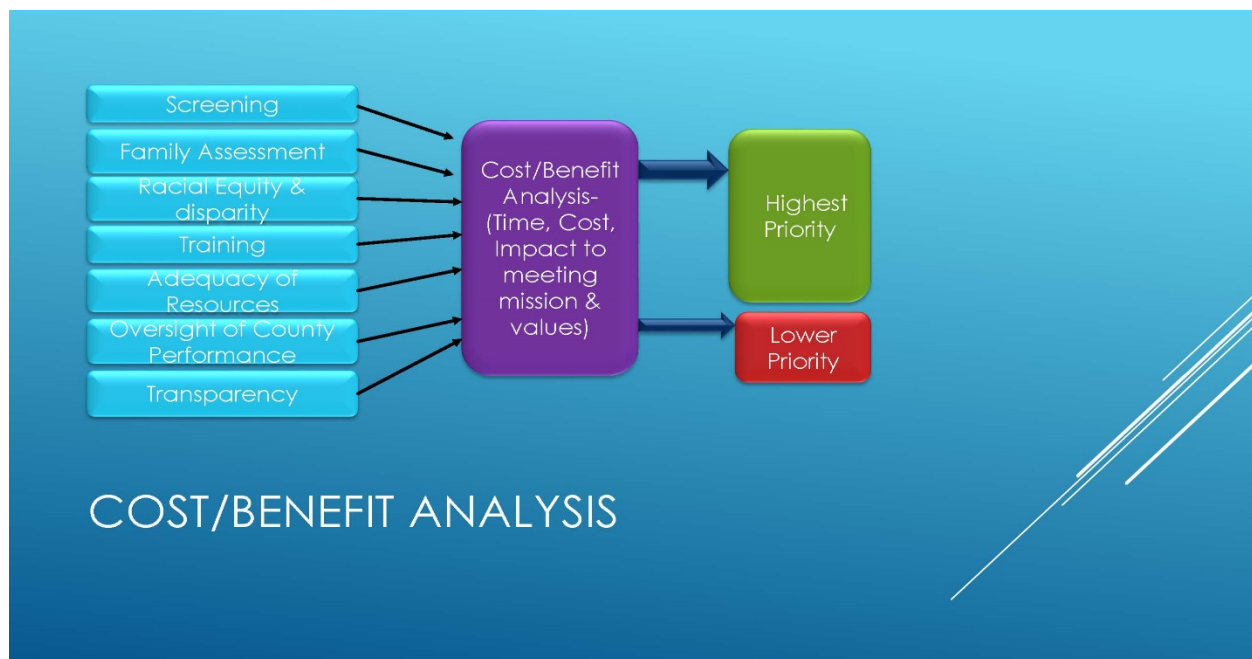
Minnesota Association of County Social Services Administrators. "MACSSA—Children's Committee CP Task Force Presentation." September 22, 2015. <http://www.lcc.leg.mn/tfcp/meetings/09222015/MACSSA-%20Childrens%20Committee%20CP%20Task%20Force%20Presentation.pdf>

The Strategy Work Group issued a final report categorizing the recommendations into the following groupings based on implementation needs and impact to the system with a detailed listing of recommendations as follows:

- Recommendations that are completed (13)
- Recommendations that are being addressed by the current DHS work groups (14)
- Recommendations that the Strategy Work Group supports moving forward as written (25)
- Recommendations to re-strategize (30)
- Recommendations for which the benefits to the system are minimal or have a low benefit-to-cost ratio (5)
- Recommendations with potential unintended consequences that may adversely impact children and families (6)<sup>35</sup>

The work group also weighted recommendations based on time for completion (less than one, three, or five years) and ease of implementation complexity.

The intent of the final report of the Strategy Work Group was to provide guidance to the DHS Recommendations Implementation Planning Work Group in implementation of the final Governor's Task Force recommendations.



*MACSSA's cost/benefit analysis for implementing recommendations.*

<sup>35</sup> DHS and MACSSA. "Child Protection Strategy Workgroup." Revised November 2015. Presented to the Legislative Task Force on Child Protection, November 10, 2015.  
<http://www.lcc.leg.mn/tfcp/meetings/11102015/Child%20Protection%20Strategy%20Work%20group%20REVISED.PDF>

## C. Tribes

A number of tribal child welfare representatives from around the state testified to the task force on October 13, 2015.

The presentation began with a history of Native Americans and Indian children welfare, including the 1978 passage of the federal Indian Child Welfare Act (ICWA) and the 1985 Minnesota Indian Family Preservation Act (MIFPA), which was amended in 2015. According to the Minnesota Department of Human Services, “Prior to 1978, Indian children were placed in foster care at a nationwide rate 10 to 20 times that for non-Indian children. These children often lost all connections with their families, extended families, tribes and cultural heritage.”<sup>36</sup>

Tribal welfare representatives stated they work to stay involved from the very beginning of the child protection process to the very end. The goal is to ensure that Indian children remain with their parents whenever possible or are placed with family members if taken from their home. It is important as a protective factor to keep children connected to their culture, extended family, community, and tribal nation.

## DHS and Tribal Partnership

Since tribal nations have sovereign power, DHS and tribal leaders have worked closely to reach a Tribal/State Indian Child Welfare Agreement.<sup>37</sup> DHS has developed an Indian Child Welfare Manual that outlines the federal and state requirements that counties are required to follow when working with Native families.<sup>38</sup> DHS has also established best practices with very specific goals to improve child welfare outcomes and reduce the disproportionate number of American Indian children in foster care.<sup>39</sup> Native Americans have the smallest population in the state, but the largest number of out-of-home placements. Data from Minnesota’s Child Welfare Report 2014 shows that one out of every 10 Indian children is in out-of-home placement.<sup>40</sup>

DHS representatives, representatives from each of the 11 tribal nations, and urban Indian representatives meet quarterly to discuss Indian child welfare matters. These meetings are hosted by the tribes and occur in January, April, July, and October. Once a year, DHS commissioner and staff meet with elected tribal officials and staff to discuss the Tribal/State Indian Child Welfare Agreement. DHS, tribal, and county representatives collaborated in drafting and supporting the amendments to MIFPA during the 2015 legislative session.

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<sup>36</sup> Minnesota Department of Human Services. *Indian Children Welfare Manual*. Page 4.

[http://www.dhs.state.mn.us/main/groups/county\\_access/documents/pub/dhs16\\_157701.pdf](http://www.dhs.state.mn.us/main/groups/county_access/documents/pub/dhs16_157701.pdf)

<sup>37</sup> Minnesota Department of Human Services. *2007 Tribal/State Agreement*. February 2007.

<https://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-5022-ENG>

<sup>38</sup> *Rf. footnote 37.*

<sup>39</sup> “Indian Child Welfare Best Practices.” Minnesota Department of Human Services.

[http://www.dhs.state.mn.us/main/idcplg?IdcService=GET\\_DYNAMIC\\_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=dhs16\\_174266](http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=dhs16_174266)

<sup>40</sup> Minnesota Department of Human Services. *Minnesota’s Child Welfare Report 2014*. December 15, 2015.

[http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16\\_198591.pdf](http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16_198591.pdf)



## **“Tribal Nations to State of Minnesota Child Protection Task Force”**

Testifiers at the task force meeting presented members with a handout, entitled “Tribal Nations to State of Minnesota Child Protection Task Force.”<sup>41</sup> It reads:

Until ICWA is followed, American Indian children and families will continue to face discrimination in the child welfare system, will continue to be removed at alarming rates, will continue to be placed in undesirable adoptions, and will be potentially lost to our communities.

- We firmly believe that to offset these risks to our children, the state of MN Legislative Task Force on Child Protection must assure that the protections guaranteed in the Indian Child Welfare Act and the Minnesota Indian Family Preservation Act are incorporated into all changes to the current Minnesota child protection system.
- We are here to advise that each of the 11 Tribal Governments in the state of Minnesota are the appropriate entities to be making decisions about our Indian children and families.

### *ICWA and MIFPA in Practice*

ICWA and MIFPA empower child welfare/protection systems to follow best practices and treat American Indian children fairly and in keeping with American Indian child-rearing practices.

- Promote the best interest of Indian children by keeping them connected to their culture, extended family, community, and tribal nation which are proven protective factors.
- Preserve the Indian family and tribal identity, including understanding that Indian children are damaged if family and child tribal identity and contact are denied.
- Protect the safety and stability as defined by the tribes, of our Indian children, their families as defined by law or custom, and the child's tribe.
- Require tribal involvement at the earliest stage of child protection intervention
- Establish federal and state standards that must be met before removing an Indian child.
- Require placement of Indian children in foster or adoptive homes that reflect the unique values of Indian culture.
- Lessen the trauma of removal by promoting placement preferences with family and community.

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<sup>41</sup> “Tribal Nations to State of MN Child Protection Task Force,” presented to the Legislative Task Force on Child Protection, October 13, 2015.

<http://www.lcc.leg.mn/tfcg/meetings/10132015/Children%20in%20Out%20Of%20Home%20Care%20by%20Race%20and%20Ethnicity.pdf>

- Promote the stability of families by requiring healing services (“active efforts”) to prevent child abuse and neglect and keep children safely in their homes.

The tribal leaders also offered nearly 30 recommendations for better implementation of ICWA and MIFPA.<sup>42</sup>

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<sup>42</sup> Ibid. Rf. Appendix IV.

## **D. Other Agencies**

### **Minnesota Department of Health**

The Minnesota Department of Health provided a handout<sup>43</sup> at the January 2016 meeting of the Legislative Task Force on Child Protection, which states:

The Minnesota Department of Health (MDH), Office of Health Facility Complaints (OHFC), conducts investigations under Minnesota's Maltreatment of Minors Act if the child resides in one of MDH's licensed facilities. If OHFC receives a complaint related to a facility that MDH does not license, MDH forwards the complaint to the DHS licensing division if it is licensed by DHS, or the child protection services in the county where the child resides.

MDH places a high priority on allegations of maltreatment involving children. When a complaint/allegation of possible child maltreatment is received by the OHFC intake unit, it is immediately triaged and discussed with a supervisor.

#### **Jurisdiction:**

If the facility falls under MDH jurisdiction, the allegation is triaged by the intake unit. Depending on the severity of the allegation, OHFC will notify child protection services (CPS) to discuss any possible agency history with CPS and to make CPS aware of the complaint. When information is sent to another agency, a phone call is made to ensure the agency receives the information.

If the facility is not under MDH's jurisdiction, CPS is notified of the allegation, and the information is sent to the state entity (CPS or DHS) with jurisdiction.

#### **Triage:**

Based on the severity of the allegation and the possible risk of harm to other children receiving care through the provider, OHFC will initiate a site investigation that same day or within two or 10 days. The majority of the maltreatment of minor investigations are initiated within two days. All triage is based on the health and safety risk to the child or other children receiving care from that particular provider.

If there is suspicious criminal activity involved, OHFC intake staff and/or the investigator will contact police to ensure their awareness.

#### **Investigation:**

During the investigation, interviews are conducted with the child's guardian and/or family members. If the child is attending a school program, attempts are made to interview the school staff. Also if appropriate, interviews are conducted with the child.

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<sup>43</sup> Minnesota Department of Health. "MDH and Minnesota's Maltreatment of Minors Act." December 2015. Presented to the Legislative Task Force on Child Protection, January 19, 2016.  
<http://www.lcc.leg.mn/tfcp/meetings/01192016/MDH%20Maltreatment%20of%20Minors%20Act.pdf>

At the conclusion of the investigation, a copy of the report with the maltreatment determination is sent to CPS and ombudsperson office.

## **Minnesota Department of Education**

Minnesota Department of Education (MDE) Assistant Commissioner Daron Korte, JD, presented to the task force in October 2015. The details below are from his presentation.<sup>44</sup>

MDE works in conjunction with the child protection system in three manners: early childhood, student maltreatment, and students in foster care. Representatives of MDE also participate in interagency collaboration on a number of efforts related to children's safety and well-being.

### **Early Childhood**

MDE operates under two federal laws related to child protection or children at risk:

1. Individuals with Disabilities Education Act (IDEA) Part C, which serves infants and toddlers with developmental delays, diagnosed medical conditions, or who are at risk of developing delays due to a diagnosed medical condition; and
2. Child Abuse and Prevention Act (CAPTA), which requires any child under the age of three who is the victim of a substantiated case of abuse or neglect be referred to Part C intervention.

MDE and DHS expanded policy to ensure that more children who have experienced abuse and neglect, either directly or observed, get rapid and ongoing developmental monitoring and screening.

If a child under three has a substantiated case, a record of Part C referral in DHS's Social Services Information System (SSIS) is required before a case can be closed. This ensures no children eligible for referral slip through.

If there is a substantiated case on a child over the age of three but there is a child under the age of three in the home, it is strongly recommended that the child under the age of three be referred to infant and toddler intervention.

MDE believes the well-being of the child is paramount. Therefore, parents must be made aware of the referral for Part C service, but consent is not required. However, any further action after referral requires consent of the parent or guardian.

MDE is also involved in other interagency efforts with DHS, including:

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<sup>44</sup> Minnesota Department of Education Assistant Commissioner Daron Korte, J.D. "Child Protective Services Task Force Hearing." Presented to the Legislative Task Force on Child Protection, October 13, 2015. <http://www.lcc.leg.mn/tfc/p/meetings/10132015/MDE%20Child%20Protective%20Services%20Task%20Force%20Presentation.pdf>

- Governor's Interagency Coordinating Council (ICC)
- Interagency Early Intervention Committees (IEICs)
- Participation by MDE early childhood special education staff on other DHS initiatives

## **Student Maltreatment Program**

The Reporting of Maltreatment of Minors Act gives MDE authority to assess and investigate allegations of child maltreatment that occur within Minnesota public schools (Minn. Stat. 626.556, subd. 3b). Similar to local welfare agencies, MDE staff receive and assess reports of alleged child maltreatment in accordance with statutory definitions to determine whether the alleged conduct warrants an investigation or should be screened-out at the intake phase. If the alleged conduct warrants an investigation, MDE conducts the investigation and issues a determination as to whether maltreatment occurred, and if so, whether the school facility or an individual was responsible for the maltreatment.

MDE works in cooperation with local law enforcement agencies whenever possible to avoid duplication of investigative efforts but is still required to issue a separate determination report. If a determination of maltreatment is made, MDE sends its determination report to the school board, superintendent, principal, alleged offender, and parent of the alleged victim. MDE also sends its report to the appropriate licensing board (i.e., Board of Teaching, Board of Nursing, etc.). MDE does not have statutory authority to make employment or disciplinary recommendations or decisions.

The Act provides MDE and local welfare agencies the same legal authority to assess and investigate reports of alleged maltreatment. If a report does not fall under MDE's legal jurisdiction to investigate, MDE promptly notifies the agency responsible for investigating, including local welfare agencies and DHS.

While recent amendments to the Reporting of Maltreatment of Minors Act have been more directly aimed at investigations conducted by local welfare agencies and DHS, they have, and will continue, to impact MDE's work. Currently, MDE investigators maintain an average caseload of 20 to 25 cases each at any given time during the year.

### *Impact of 2015 Legislative Amendments on Student Maltreatment Program*

#### **Current impact:**

- Re-emphasis on the overall health and safety of children in school settings
- An increase in collaboration with law enforcement due to the clarification of cross-reporting requirements
- An increase in collection and maintenance of alleged offender information on screened-out reports
- Increased notification and collaboration with tribal representatives

#### **Projected impact:**

- An increase in assigned investigations due to changes in statutory definitions related to physical abuse

- MDE anticipates that the changes in legislation will increase the already established upward trend of reports received by MDE. Data shows that from FY13 to FY15, MDE experienced a 32 percent increase in the number of reports received and assessed.

#### *Additional Child Protection Relationships between DHS and MDE*

MDE cross-reports allegations of child maltreatment that are outside MDE’s jurisdiction to DHS and local county welfare agencies and vice versa:

- MDE participates on the Seven Metro County Child Protection Screeners Committee
- MDE participates on the DHS Child Mortality Review Panel
- MDE has hosted student maltreatment stakeholder meetings in which DHS has participated
- MDE has participated in training of the Minnesota Child Maltreatment Intake, Screening, and Response Path Guidelines hosted by DHS

#### **Students in Foster Care**

Children in foster care can be found in all areas of education—general education, special education, alternative programs, gifted programs, and so on.

- Services need to be tailored to the individual needs of the student
- Much of the work with children in foster care and school placement occurs at the local/regional level
- Communication is key

#### *Continued Enrollment for Students Placed In Foster Care*

“[A] pupil who has been enrolled in a district who is placed in foster care in another district may continue to enroll in the prior district without the approval of the board of the prior district.”

–Minn. Stat. 2015 124D.08, subd. 2b

#### *Foster Care and Special Education*

Initiatives that support children who are in special education and who may be in foster care:

- Interagency coordination
- Mental health initiatives in schools
- Targeted efforts to support school success

#### *Interagency Coordination*

Minnesota State Interagency Committee (MnSIC)

- State agencies, schools, counties, parents, and others
- The goal is to support coordination and eliminate silos

Local Collaboratives

- Community Interagency Transition Committees

- Mental Health and Family Services Collaborative
- Individualized Educational Program (IEP) Teams

#### Mental Health Initiatives in Schools

- School Linked Mental Health Grants
- Children's Therapeutic Services and Supports (CTSS)

#### Keeping Students in the Classroom

- Alternatives to Suspension Grants
- Reintegration Protocol
- Positive Behavioral Interventions and Supports

#### Alternative Delivery of Specialized Instructional Services (ADSIS)

#### Other Child Well-Being Partnerships with DHS and Other Agencies

- Minnesota System of Interagency Coordination
- Minnesota's Olmstead Plan
  - Goals include interagency coordination between MDE and DHS, DEED, and DOC
- Children's Cabinet
  - Commissioners of DHS, MDH, and MDE

## Minnesota Housing Finance Agency

The Minnesota Housing Finance Agency (Minnesota Housing) offers products and services to help Minnesotans buy and fix up their homes and to stabilize neighborhoods, communities, and families. It also supports the development and preservation of affordable rental housing through both financing and long-term asset management. Minnesota Housing does not directly own and operate any housing; therefore it does not have specific programs directed at children in protective services. However, Minnesota Housing does finance the construction of supportive housing that helps stabilize the lives of some of the state's most vulnerable citizens, including youth and families with children.

According to Katie Topinka, Minnesota Housing Legislative Director, who testified before the Legislative Task Force on Child Protection, there were a reported 7,500 homeless Minnesotans in 2014. 942 of those were youth under the age of 25. 145 were unaccompanied and under the age of 18, and 266 of the youth were parents with children of their own.<sup>45</sup>

One of the five strategic priorities of Minnesota Housing is to prevent and end homelessness. Minnesota Housing Commissioner Mary Tingerthal is co-chair of the Minnesota Interagency Council on Homelessness, aimed to align services among 11 state agencies in order to prevent and end homelessness for all Minnesotans. One of the primary goals of the Interagency

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<sup>45</sup> Katie Topinka, Legislative Director, Minnesota Housing Finance Agency, presentation to the Legislative Task Force on Children Protection, October 27, 2015.

Council's Plan to Prevent and End Homelessness is to prevent and end homelessness for children and families by the end of 2020. Different rental assistance programs supported by Minnesota Housing help support that goal:

- **Housing Trust Fund**, which supports the development of affordable housing for low-income persons and families
- **Bridges**, which provides rental assistance for households in which at least one adult member has a serious mental illness
- **Rental Assistance for Highly Mobile Students**, which provides rental assistance to families with school-aged children that have had frequent moves

Minnesota Housing has also financed 13 supportive housing projects for homeless youth, which have created or will create 307 units of supportive housing for homeless youth. Minnesota Housing provides financing for the capital costs of the housing. The projects also include services, which are funded through a variety of sources, many of which are administered by DHS or come from private philanthropic sources. Funding from the Homeless Youth Act can also help to fund services in projects specifically for homeless youth. The Homeless Youth Act is administered by DHS.

## Minnesota Department of Corrections

Representatives of the Minnesota Department of Corrections (DOC) gave a presentation to the Legislative Task Force on Child Protection on October 27, 2015.<sup>46</sup>

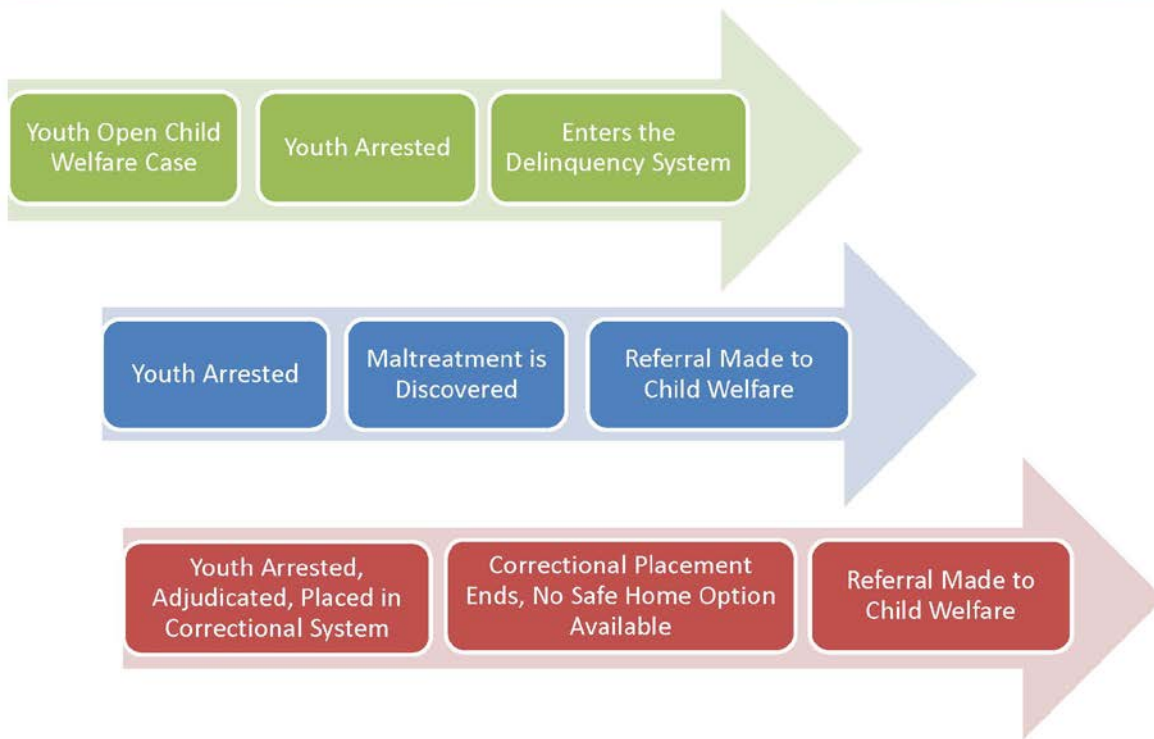
For the most part, the DOC encounters children in the child protection system once they have entered the delinquency system, though the pathways leading to identification may vary as pictured in the graph below.

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<sup>46</sup> Minnesota Department of Corrections. "Legislative Task Force on Child Protection: October 27, 2015." <http://www.lcc.leg.mn/tfcp/meetings/10272015/Legislative%20Task%20Force%20on%20Child%20Protection%2010-27.pdf>



# Pathways Leading to Identification



## National Trends

National trends show that children who have a prior contact with child protection are overrepresented in the delinquency system. They are termed “dual status youth” or “crossover youth.”

- 7 percent of kids arrested have a prior open child welfare case
- 42 percent of kids with probation cases have a prior open child welfare case
- 65 percent of kids with correctional placements have a prior open child welfare case
- If a child is 11-years-old or older when abused, it increases the likelihood of criminality by 29 percent.

## Child Welfare vs. Juvenile Justice

DOC noted that the child welfare and juvenile justice systems are very different, though they handle similar populations with similar behaviors.

- **Child welfare** is mandated to provide reasonable efforts at preventing placement or reunifying families. It is held accountable to family and child outcomes.
- **Juvenile justice** is mandated to promote public safety.

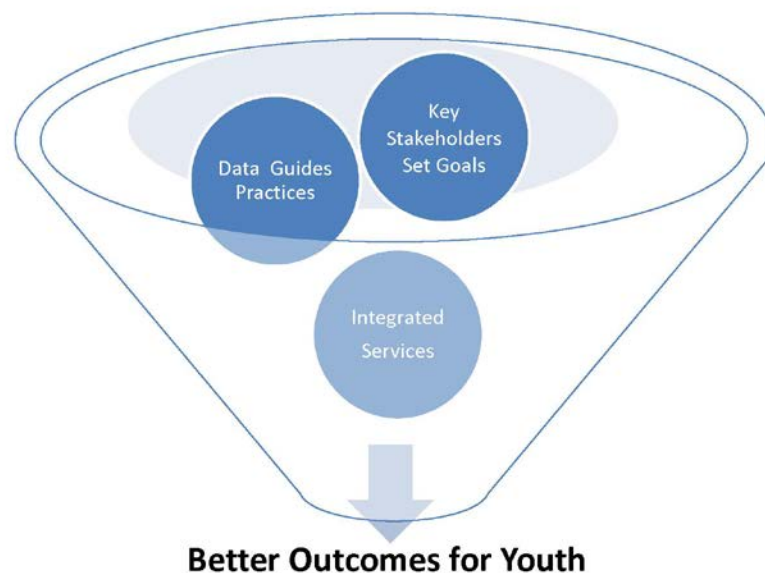
## Mandated Reporters

As DOC relates to the child protection system, corrections workers are mandated reporters and are required to report suspected abuse and neglect. They also review facilities for mandated reporting policy and training and report predatory offenders living with children.

## Best Practices as a System-Integrated Approach

DOC defines best practices as a system-integrated approach that results in better outcomes for youth, where key stakeholders set goals based on data that guides practices using integrated services.

### Best Practices is a System-Integrated Approach



### *Key Stakeholders*

DOC stated the need for varying levels of local champions who see the broader needs of kids and families. These key stakeholders are responsible for creating local commitment and oversight and implementing local preventive services.

### *Data Guides Practices*

DOC noted that data sharing across agencies is necessary to identify gaps and needs for children in the child protection and juvenile delinquency systems. Data is needed to measure results, and it was recommended the legislature investigate barriers to data sharing.

### *Integrated Services*

- DOC provides screening and services as needed for mental health and traumatic experiences (Minnesota Statute 260B.157)
- DOC recommends assessment information be more transparent, as DHS and DOC have different assessments—“joint case planning” between the agencies is beneficial
- DOC sees benefits in services provided for both youth and family
- Case management should work across systems—one direction goals
- Coordinated court involvement for “crossover youth”
- Utilization of a juvenile treatment screening team (Minnesota Statute 260B.157)

## **Minnesota Department of Public Safety**

The Minnesota Department of Public Safety Bureau of Criminal Apprehension (BCA) testified to the Legislative Task Force on Child Protection on October 27, 2015. Local law enforcement is directly involved in the child protection system; however, the BCA provides administrative assistance in the form of background checks.

BCA performs background checks for school bus endorsement; the Department of Human Services; and other entities, such as school district employees, child protection, and under the Serve America Act. Depending on the circumstances, the background check may be of Minnesota records or a federal, fingerprint-based check.

Representatives of the BCA sit on interdisciplinary groups, such as child mortality reviews.

During their presentation, the BCA stated that it would be helpful for law enforcement and social services to share all information with each other, as well as interdisciplinary review groups, in order to find potential patterns that may be detrimental to the health or well-being of a child.

# **III. Recommendations for Additional Legislative Changes**

## **A. Overview**

The importance of child protection merits an obligation by legislators to be informed and deliberate in future efforts on this issue. Too often the complexity, emotional heaviness, and general feeling of helplessness become obstacles in the path toward solutions. No child should face the terrible atrocities reported each year to county social services. Moreover, because many of these children experience the abuse at a toddler age, their voices are muted. Legislators should recognize the benefits of addressing this disadvantaged population.

Going forward, members recommend a continued working legislative oversight task force to interact with and oversee Minnesota's child protection system. This task force needs to extend beyond information and fact-finding to responsible advocacy for this disadvantaged population. We believe the task group should publish an annual report that details current and future efforts by the Department of Human Services to improve the child protection system. The group should also focus on leveraging other agencies such as the Minnesota Department of Education, Minnesota Housing and Finance Agency, and the Department of Corrections to coordinate solutions and future legislation.

## **B. Potential Areas of Consideration Submitted by Task Force Members**

1. Extend the task force sunset date past the end of the 2016 legislative session to continue to review the child protection system and advocate for the welfare of children. The task force should publish an annual report that outlines efforts made by DHS and the ways in which different agencies can coordinate to develop solutions.
  - Increase the scope of the task force to include foster care.
  - Provide recommendations for education, law enforcement, and child protective services to work together to proactively help identified families.
2. Continue to recommend agreed-upon changes to DHS and the legislature from the Governor's Task Force list of recommendations.
3. Review the Commissioner's Child Foster Care Work Group Final Report and Recommendations.
  - Improve educational stability for students in foster care and the child protection system.
  - Investigate foster care liaison positions in schools and counties to address specific needs of foster care students.
  - Investigate funding needs to assist counties and school districts with transportation costs for students in foster care placements outside of the school district they attended before being placed in foster care.
4. Consider past family history of filed reports of other children in the household.
5. Review and clarify the definition of "substantial child endangerment."
6. Explore the role and duties of guardian ad litem positions in the child protection system.
7. Monitor and evaluate county progress of DHS guidelines implemented January 1, 2016, including, but not limited to, 24/7 coverage.
8. Review the current use of law enforcement to remove children from the home and the impact, notably on communities and family systems of color.
9. Review recruitment best practices and implement those practices specific to community identity, taking into account challenges in rural communities.
10. Further explore tribal issues, including assessing funding needs of counties, providing outreach, and collaborating with tribes.
11. Review current data privacy and information sharing standards that may inhibit the best possible outcome on a child protection case.
12. Review child maltreatment prevention best practices.
13. DHS review of the coordination of services and supports for families within the child protection system and the offering of voluntary services for families with screened-out reports.

## C. Potential Areas of Consideration Submitted by DHS

The following is proposed by DHS to further implement the intent of the recommendations from the Governor’s Task Force on the Protection of Children and continued improvements to Minnesota’s child protection system. Additionally, child protection services stakeholder input through the DHS Recommendations Implementation Planning Work Group structure is reflected in the proposed changes.

While the task force accepts these as considerations, members believe further review and discussions are needed before they become formal recommendations.

1. Align Minnesota Statute 626.556 with federal trafficking legislation that becomes effective May 29, 2017, and requires that reports involving sex trafficked children and youth require a child protection services investigation response for reports involving caregiver and non-caregiver perpetrators.
2. Clarify jurisdictional issues when maltreatment has occurred in another state outside of Minnesota but the parent and child reside in Minnesota. Require the Minnesota county of residence also to conduct a Family Investigation or Family Assessment because the family resides in Minnesota.
3. Add two items to the “birth match” language in Minn. Stat. 626.556, subd. 2 (q) as an addition to “threatened injury”: previous death of a child due to child maltreatment, life threatening injury to a child or serious injury to a child. Also add that birth match requires a Family Investigation.
4. Provide statutory protections for mandated reporters for sharing information as a collateral contact to inform a screening decision and keep their name confidential similar to the protections for the original reporter.
5. Add language to Minn. Stat. 626.556 to authorize a local agency multi-disciplinary team to assist with screening, pathway, and other 626.556 functions. The language could mirror the language currently in the multidisciplinary team statute or add language to the multidisciplinary team statute in Minn. Stat. 626.558 to add “screening” in addition to “case consultation.” Current language in Minn. Stat. 626.558 does not cover screening as a specific function of “case consultation,” but rather “services provided to children and families.” The statutory revision could be to add “screening” to Minn. Stat. 626.558.
6. Clarify ability to notify non-custodial parent when the custodial parent has a screened-in report, with an exclusion of child safety or in the child’s best interest.
7. Clarify in Minn. Stat. 626.556 that child welfare services are required for youth who are sex trafficked and make language similar to 626.556, subd. 10n., except there should not be a statement that a Child in Need of Protection or Services (CHIPS) petition cannot be filed.
8. Specify in Minn. Stat. 626.556, subd. 10i that tribes are permitted to know the reporter’s name/information on child maltreatment reports and that the name must remain confidential. All law enforcement, tribes, and counties shall keep the reporter’s name confidential when exchanging information specific to the child and the family.
9. Clarify that DHS would be the decision-making body when counties cannot agree on which agency has jurisdiction over a child protection assessment or investigation.

10. Clarify which state agency has legal authority to investigate agencies not required to be licensed, such as centers serving children with pervasive developmental disorders.
11. Revise statutory language as to personal care attendants (PCA) so that when there is a maltreatment determination made against the PCA, whether as to their biological/adopted child or while in the role as a PCA, the local agency must notify the PCA's licensing agency.
12. For purposes of Minn. Stat. 626.556 and 260C, clarify that the existence of a delegation of power by parent or guardian under Minn. Stat. § 524.5-211 for an individual to provide for the child has no effect if the child, the child's sibling, or other minor household member is reported as a victim of maltreatment. The parent executing the delegation of power remains responsible for the care of the child and for protecting the child from maltreatment and the county where the parent resides is responsible for investigating the report.
13. Clarify in statute that mandated reporters are required to report according to statute while in the course of their professional duties.
14. Correct the multiple redundancies in the requirements for cross-reporting between local agencies and law enforcement – oral “or” written rather than oral “and” written in Minn. Stat. 626.556, subd. 10. Also clarify that when law enforcement initiates the child maltreatment report, the local agency shall notify the law enforcement jurisdiction as to whether the report was screened-in or screened-out. These requirements create cross-reporting duplication and as currently written are overwhelming law enforcement agencies statewide. A single action of cross-reporting may allow for better information tracking and contribute to more focused attention to the cross-reported information which may enhance child safety.
15. Clarify in 260.755, subd. 8 and in Minn. Stat. 626.556, subd. 10 (5) that the notice to tribes of child maltreatment occurring on Indian land is limited to Indian children as defined by the Minnesota Indian Family Preservation Act (MIFPA).
16. Work with the Department of Corrections (DOC) on statutory changes for the DOC, which licenses corrections facilities, requiring them to conduct facility investigations of alleged child maltreatment occurring in the DOC facilities. Currently this is the responsibility of local child welfare agencies and it should not be. Similar to MDE and MDH facilities, DOC should handle their own facility investigations.
17. Modify Minn. Stat. 626.556 cross-referencing on egregious harm and substantial child endangerment to include conduct only once. This clarification would make the lists identical and would advance consistency across local child welfare agencies as to which cases these definitions apply. There is also an issue with the language in Minn. Stat. 626.556 as to “determining egregious harm” and requirement to file immediate Termination of Parental Rights petition. Agencies do not determine “egregious harm”; agencies determine child maltreatment. This is confusing to local child welfare agencies.

## **IV. Conclusion**

The Department of Human Services, counties, tribes, and other state agencies continue to implement 2015 child protection legislation and recommendations from the Governor's Task Force on the Protection of Children.

The Legislative Task Force on Child Protection will continue to meet at least once a month through the 2016 legislative session. The task force expires on the last day of session, unless it is extended to the following year through legislation.

Chairs, members, and task force staff are thankful to everyone who has testified over the last six months. Their time, effort, and passion to advance and protect the health and well-being of Minnesota children is truly inspiring.



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# **Appendix I. Task Force Agendas and Minutes**

## **A. Meeting 1: August 11, 2015**

### **Legislative Task Force on Child Protection**

Co-Chairs: Rep. Ron Kresha & Senator Kathy Sheran

#### **Meeting:**

Tuesday, August 11, 2015

10:00 a.m. to 12:00 p.m.

10 State Office Building

#### **Agenda:**

- I. Introductions by Task Force Members and Others
- II. Review of Legislation Passed Last Session  
Joan White, Senate Counsel
- III. Overview: Role of DHS as it Relates to the Task Force  
DHS Assistant Commissioner Jim Koppel
- IV. Task Force Discussion of Priorities and Goals
- V. Public Testimony
- VI. Set Next Meeting Date
- VII. Adjournment

**\*\*Please note this meeting will be televised by House Public Information Services. If you are unable to attend, the dial-in number is 651-284-6490.**

Contact Lisa Moriarity if you have questions or would like to testify, as the meeting is open to public discussion: [lisa.moriarity@house.mn](mailto:lisa.moriarity@house.mn) or 651-296-8891.

# **LEGISLATIVE TASK FORCE ON CHILD PROTECTION**

STATE OF MINNESOTA

FIRST MEETING: AUGUST 11, 2015

## **MINUTES**

Representative Ron Kresha, Co-Chair of the Legislative Task Force on Child Protection, called the meeting to order at 10:02 a.m. on Tuesday, August 11, 2015, in Room 10 of the State Office Building.

Legislative Assistant Lisa Moriarity noted the roll.

Task Force members present:

Rep. Ron Kresha, Co-Chair  
Sen. Kathy Sheran, Co-Chair  
Rep. Peggy Bennett  
Rep. Tom Anzelc – via phone  
Rep. Joe Mullery  
Sen. Carla Nelson  
Sen. Jeff Hayden

Not present: Sen. Julie Rosen

Task Force members and staff introduced themselves.

Joan White, Senate Counsel, reviewed child protection legislation passed during the 2015 Legislative Session.

Jim Koppel, Department of Human Services (DHS) Assistant Commissioner, gave an overview of what DHS is working to implement as directed by 2015 legislation. He outlined several initiatives that he will update the Task Force on at the next meeting.

Members discussed their priorities and goals for the Task Force.

Sen. Sheran set the next meeting for Tuesday, August 25, at 10 a.m.

The following people offered public testimony:

Amy Jessina Janssen, MN Protective Parents Association  
Dawn Buttera, teacher/mother  
Tonya Long, Board Chair, American Indian Community Specific Board  
Rich Neumeister, citizen lobbyist

The meeting adjourned at 12:39 p.m.

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Representative Ron Kresha, Co-Chair

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Lisa Moriarity, Legislative Assistant

## **B. Meeting 2: August 25, 2015**

### **Legislative Task Force on Child Protection**

Co-Chairs: Rep. Ron Kresha & Senator Kathy Sheran

#### **Meeting:**

Tuesday, August 25, 2015

10:00 a.m. to 12:00 p.m.

10 State Office Building

#### **Agenda:**

- I. Approval of Minutes from August 11, 2015 Meeting
- II. Review of the recommendations in the Final Report of the Governor's Task Force on the Protection of Children  
Jim Koppel, Assistant Commissioner, Children and Family Services, Department of Human Services
- III. Member discussion of issues to be addressed by the Task Force
- IV. Public Testimony
- V. Adjournment

If you have questions or would like to testify please contact Chelsea Magadance at [chelsea.magadance@senate.mn](mailto:chelsea.magadance@senate.mn).

The public is also invited to provide feedback on issues they believe the Task Force should address. Please submit any feedback to Chelsea Magadance at [chelsea.magadance@senate.mn](mailto:chelsea.magadance@senate.mn).

**LEGISLATIVE TASK FORCE ON CHILD PROTECTION**  
**STATE OF MINNESOTA**  
**AUGUST 25, 2015**

**MINUTES**

Senator Sheran called the meeting to order at 10:05 a.m. on Tuesday, August 25, 2015 in Room 10, State Office Building.

Task Force Members Present: Senator Kathy Sheran, Co-Chair, Representative Ron Kresha, CoChair, Representative Joe Mullery, Senator Carla Nelson, Senator Julie Rosen, Senator Jeff Hayden

Task Force Members Excused: Representative Peggy Bennett, Representative Tom Anzelc

- I. Senator Sheran reviewed the agenda and explained that there are many issues the Task Force is charged to oversee and for which they are asked to make recommendations. The Chairs and staff are developing a timeline and structure for addressing these issues.
- II. Representative Kresha moved to adopt the August 11, 2015 meeting minutes. Motion passed, via voice vote.
- III. Review, clarification, and discussion of recommendations in the Final Report of the Governor's Task Force on Child Protection.
  - a. Jim Koppel, Assistant Commissioner, Children and Family Services, MN Department of Human Services.
- IV. Member discussion of issues to be addressed by the Task Force was removed from today's agenda and tabled for later discussion, due to time limitations.
- V. Public testimony was encouraged, however no one requested to testify.
- VI. Representative Kresha scheduled the next meeting for September 8, 2015, 10 a.m., Room 10, State Office Building.

The meeting adjourned at 12:08 p.m.

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Senator Kathy Sheran, Co-Chair

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Kristy Graume, Legislative Assistant

## **C. Meeting 3: September 8, 2015**

### **Legislative Task Force on Child Protection**

Co-Chairs: Rep. Ron Kresha & Senator Kathy Sheran

#### **Meeting:**

Tuesday, September 8, 2015

10:00 a.m. to 12:00 p.m.

10 State Office Building

#### **Agenda:**

- I. Call to Order
- II. Approval of Minutes from August 25 Meeting
- III. Overview of Screening Process  
Carole Wilcox, DHS Child Safety Manager
- IV. Work Group Recommendations Milestones & Charges  
DHS Assistant Commissioner Jim Koppel
- V. Review of Task Force Report Outline & Task Force Work Plan
- VI. Discussion on Ombudsperson Working Group
- VII. Public Testimony
- VIII. Adjournment

Contact Lisa Moriarity if you have questions or would like to testify, as the meeting is open to public discussion: [lisa.moriarity@house.mn](mailto:lisa.moriarity@house.mn) or 651-296-8891.

# LEGISLATIVE TASK FORCE ON CHILD PROTECTION

STATE OF MINNESOTA

THIRD MEETING: SEPTEMBER 8, 2015

## MINUTES

Representative Ron Kresha, Co-Chair of the Legislative Task Force on Child Protection, called the meeting to order at 10:07 a.m. on Tuesday, September 8, 2015, in Room 10 of the State Office Building.

Legislative Assistant Lisa Moriarity noted the roll.

Task Force members present:

Rep. Ron Kresha, Co-Chair  
Sen. Kathy Sheran, Co-Chair  
Rep. Peggy Bennett  
Rep. Tom Anzelc – via phone  
Rep. Joe Mullery  
Sen. Carla Nelson  
Sen. Jeff Hayden

Task Force members excused:

Sen. Julie Rosen

Carole Wilcox, Child Safety and Prevention Unit Manager at the Minnesota Department of Human Services (DHS), gave an overview of the child protection screening process.

Ms. Wilcox also discussed the DHS Work Group Recommendations Milestones and Work Group Charges and indicated that the timeline is on track.

Chair Kresha introduced drafts of the Task Force Report Outline and Task Force Work Plan and asked members to review both documents and make comments at a future meeting. Laura Larson, Committee Administrator for the House, presented details about the documents. Representative Bennett made a motion to approve the draft Work Plan. **THE MOTION PREVAILED.**

Chair Kresha announced the creation of an Ombudsperson Working Group. Senator Hayden and Representative Mullery agreed to co-chair the working group.

Chair Kresha announced Senator Hayden and Representative Bennett as vice chairs of the Task Force.

The following people offered public testimony:



Jodi Wentland, Director, Child and Family Services, Olmsted County  
Ann Hill, Ombudsperson for African American Families  
Kidane Shulve, parent

Sen. Sheran set the next meeting for Tuesday, September 22, at 10 a.m. in Room 10 of the State Office Building.

The meeting adjourned at 11:37 a.m.

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Representative Ron Kresha, Co-Chair

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Lisa Moriarity, Legislative Assistant

## **D. Meeting 4: September 22, 2015**

### **Legislative Task Force on Child Protection**

Co-Chairs: Rep. Ron Kresha & Senator Kathy Sheran

#### **Meeting:**

Tuesday, September 22, 2015

10:00 a.m. to 12:00 p.m.

Room 10 State Office Building

#### **Agenda:**

- I. Approval of Minutes from August 25, 2015 and September 8, 2015 Meetings
- II. DHS Update on and Discussion of the Draft Child Maltreatment Screening Guidelines
- III. County Presentation on Efforts to Implement Laws Related to Child Protection and Recommendations from the Governor's Task Force on the Protection of Children
- IV. Public Testimony
- V. Adjournment

If you have questions or would like to testify please contact Chelsea Magadance at [chelsea.magadance@senate.mn](mailto:chelsea.magadance@senate.mn).

**LEGISLATIVE TASK FORCE ON CHILD PROTECTION**  
**STATE OF MINNESOTA**  
**September 22, 2015**

**MINUTES**

Senator Sheran called the meeting to order at 10:02 a.m. on Tuesday, September 22, 2015 in Room 10, State Office Building.

Task Force Members Present: Senator Kathy Sheran, Co-Chair, Representative Ron Kresha, Co-Chair, Representative Joe Mullery, Representative Peggy Bennett, Senator Carla Nelson, Senator Jeff Hayden

Task Force Members Present by Phone: Representative Tom Anzelc

Task Force Members Excused: Senator Julie Rosen

- I. Senator Sheran announcements: The 2015 Minnesota Legislature allocated \$1.5 million for grants to address disparities in child welfare. Minnesota DHS will hold two public meetings to engage with the community to develop grant criteria and procedures, outcomes, and develop a plan to award the grants. Those meetings will be held:
  - a. Tuesday, October 6, 2015 2-6 p.m. at the Urban Research and Outreach-Engagement Center (UROC), 2001 Plymouth Ave North, Minneapolis, MN 55411; and
  - b. Thursday, October 8, 2015 4-6 p.m. at the Prairie's Edge Casino Resort, Room Dakota 2, 5616 Prairie's Edge Lane, Granite Falls, MN 56241.

The Legislative Task Force on Child Protection will recess, beginning November 10, 2015 and reconvene on January 19, 2015. Meetings will continue to be held every other Tuesday and the end time will be extended to 1:00 p.m.

- II. Representative Mullery moved to adopt the August 25, 2015 and September 8, 2015 meeting minutes. Motion passed, via voice vote.
- III. DHS Update on and discussion of the Draft Child Maltreatment Screening Guidelines.
  - a. Carole Wilcox, Child Safety and Prevention Manager, Children and Family Services, Minnesota Department of Human Services; and
  - b. Jim Koppel, Assistant Commissioner, Children and Family Services, Minnesota Department of Human Services.
- IV. County presentation on efforts to implement laws related to Child Protection and Recommendations from the Governor's Task Force on the Protection of Children.
  - a. Brenda Mahoney, Division Director, Stearns County Family and Children Services;
  - b. Jodi Wentland, Director of Olmsted County Children and Family Services Division; and
  - c. Stacy Hennen, Director, Grant County Social Services.

V. Public testimony

- a. Lisa Hollensteiner, MD;
- b. Mary Regan, Executive Director, Minnesota Council of Child Caring Agencies;
- c. Kelis Houston, MN DFL African American Caucus.

The meeting adjourned at 12:31 p.m.

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Senator Kathy Sheran, Co-Chair

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Kristy Graume, Legislative Assistant

## **E. Meeting 5: October 13, 2015**

### **Legislative Task Force on Child Protection**

Co-Chairs: Rep. Ron Kresha & Senator Kathy Sheran

#### **Meeting:**

Tuesday, October 13, 2015

10:00 a.m. to 1:00 p.m.

10 State Office Building

#### **Agenda:**

- I. **Call to Order**
- II. **Approval of Minutes from September 22 Meeting**
- III. **Presentation by Tribal Child Welfare Representatives**  
Laurie York, Director, White Earth Indian Child Welfare  
Candy Lagou, Indian Child Welfare Act Advocate, Red Lake Family and Children Services  
Lorraine White, Family Stabilization Program Director, Minnesota Indian Women's  
Resource Center  
Ted Waukey, Family Preservation Supervisor, Mille Lacs Family Services
- IV. **Presentation by the Minnesota Department of Education (MDE)**  
MDE Assistant Commissioner Daron Korte
- V. **Foster Care Working Group Update**  
DHS Assistant Commissioner Jim Koppel
- VI. **Public Testimony**
- VII. **Adjournment**

Contact Lisa Moriarity if you have questions or would like to testify, as the meeting is open to public discussion: [lisa.moriarity@house.mn](mailto:lisa.moriarity@house.mn) or 651-296-8891.

**LEGISLATIVE TASK FORCE ON CHILD PROTECTION**  
**STATE OF MINNESOTA**  
**FIFTH MEETING: OCTOBER 13, 2015**

**MINUTES**

Representative Ron Kresha, Co-Chair of the Legislative Task Force on Child Protection, called the meeting to order at 10:12 a.m. on Tuesday, October 13, 2015 in Room 10 of the State Office Building.

Legislative Assistant Lisa Moriarity noted the roll.

Task Force members present:

Representative Ron Kresha, Co-Chair  
Senator Kathy Sheran, Co-Chair  
Representative Joe Mullery  
Representative Peggy Bennett  
Senator Carla Nelson  
Senator Jeff Hayden  
Senator Julie Rosen

Task Force members excused: Representative Tom Anzelc

Representative Peggy Bennett moved to adopt the September 22, 2015 meeting minutes. **THE MOTION PREVAILED.**

Tribal Child Welfare Representatives gave a presentation of the child protection system.

Ted Waukey, Family Preservation Supervisor, Mille Lacs Family Services  
Candace Lagou, Indian Child Welfare Act (ICWA) Advocate, Red Lake Family and  
Children Services  
Tracey Howg, Targeted Case Manager, Bois Forte Family Health Services ICWA  
Laurie York, Director, White Earth Indian Child Welfare  
Richie Smith, ICWA Guardian AD Litem, Fourth Judicial District Court

Daron Korte, Assistant Commissioner of the Minnesota Department of Education (MDE), gave a presentation about the collaboration between MDE and the Minnesota Department of Human Services (DHS) within the child protection system. Jennifer Alexander, MDE Supervisor of Compliance and Assistance, answered questions of the committee.

Jim Koppel, DHS Assistant Commissioner, provided an update about the DHS Foster Care Working Group.

Representative Kresha opened the meeting to public testimony.

Tonya Long, Board Chair, American Indian Community Specific Board

The meeting adjourned at 12:50 p.m.

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Representative Ron Kresha, Co-Chair

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Legislative Assistant, Lisa Moriarity

## **F. Meeting 6: October 27, 2015**

### **Legislative Task Force on Child Protection**

Co-Chairs: Rep. Ron Kresha & Senator Kathy Sheran

#### **Meeting:**

Tuesday, October 27, 2015

10:00 a.m. to 1:00 p.m.

Room 10 State Office Building

#### **Agenda:**

- I. Approval of Minutes from October 13, 2015 Meeting
- II. Presentation by MN Housing Finance Agency
- III. Presentation by MN Department of Corrections
- IV. Presentation by MN Department of Public Safety
- V. DHS Review of Child Maltreatment Screening Guidelines  
Carole Wilcox, Child Safety and Prevention Manager, DHS  
Stacy Hennen, Grant County Social Services Director, MACSSA President
- VI. Update on Child Protection Supervisor Competencies and Training from the DHS Professional Development Work Group  
Tracy Crudo, Minnesota Child Welfare Training System Supervisor, DHS  
Traci LaLiberte, Executive Director, Center for Advanced Studies in Child Welfare, University of Minnesota  
Nicole Names, Human Services Director, Pope County Human Services
- VII. Public Testimony
- VIII. Adjournment

If you have questions or would like to testify please contact Chelsea Magadance at [chelsea.magadance@senate.mn](mailto:chelsea.magadance@senate.mn).



**LEGISLATIVE TASK FORCE ON CHILD PROTECTION**  
**STATE OF MINNESOTA**  
**October 27, 2015**

**MINUTES**

Senator Sheran called the meeting to order at 10:10 a.m. on Tuesday, October 27, 2015 in Room 10, State Office Building.

Task Force Members Present: Senator Kathy Sheran, Co-Chair, Representative Ron Kresha, Co-Chair, Representative Joe Mullery, Representative Peggy Bennett, Senator Jeff Hayden

Task Force Members Present by Phone: Representative Tom Anzelc

Task Force Members Excused: Senator Julie Rosen, Senator Carla Nelson

- I. Representative Kresha moved to adopt the October 13, 2015 meeting minutes. Motion passed, via voice vote.
- II. Presentation by Minnesota Housing Finance Agency (MHFA)
  - a. Katie Topinka, Legislative Director, MHFA
- III. Presentation by Minnesota Department of Corrections (DOC)
  - a. Ron Solheid, Deputy Commissioner of Field Services, DOC; and
  - b. Allen Godfrey, Director of Field Services, DOC
- IV. Presentation by Minnesota Department of Public Safety (DPS)
  - a. Scott Mueller, Bureau of Criminal Apprehension (BCA), Special Agent in Charge; and
  - b. Katie Engler, BCA Senior Legal Analyst.
- V. Department of Human Services Review of Child Maltreatment Screening Guidelines
  - a. Carole Wilcox, Child Safety and Prevention Manager, DHS; and
  - b. Stacy Hennen, Grant County Social Services Director, MACSSA President.
- VI. Update on Child Protection Supervisor Competencies and Training from the DHS Professional Development Work Group
  - a. Tracy Crudo, Minnesota Child Welfare Training System Supervisor, DHS;
  - b. Dr. Traci LaLiberte, Executive Director, Center for Advanced Studies in Child Welfare, University of Minnesota; and
  - c. Nicole Names, Human Services Director, Pope County Human Services.
- VII. Public Testimony
  - a. Lisa Hollensteiner, MD & Member of Governor's Task Force on Child Protection;
  - b. Rich Gehrman, Safe Passage for Children, Executive Director & Member of the Governor's Task Force on Child Protection; and

- c. Kirsten Anderson, Minnesota Council on Childcare Agencies, Assistant Director.

The meeting adjourned at 1:17 p.m.

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Senator Kathy Sheran, Co-Chair

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Kristy Graume, Legislative Assistant

## **G. Meeting 7: November 10, 2015**

### **Legislative Task Force on Child Protection**

Co-Chairs: Rep. Ron Kresha & Senator Kathy Sheran

#### **Meeting:**

Tuesday, November 10, 2015

9:30 a.m. to 1:00 p.m.

10 State Office Building

#### **Agenda:**

\*Please note that from 9:30 a.m. to 10:30 a.m., the task force will hold a brainstorming session about recommendations for the final report. This session is open to the public in Room 10. The official meeting will be called to order at 10:45 a.m.

- I. **Call to Order**
- II. **Approval of Minutes from October 27 Meeting**
- III. **DHS Overview of Foster Care Working Group Recommendations**  
Jim Koppel, Assistant Commissioner, DHS  
Jerry Kerber, Inspector General, DHS
- IV. **DHS Update on RFP for Disparity Grants**  
Jim Koppel, Assistant Commissioner, DHS
- V. **DHS and MACSSA Child Protection Strategy Workgroup: Recommendations, Implementation Status Report and Prioritization**  
Jamie Sorenson, Child Safety and Permanency Director, DHS  
Eric Ratzmann, MACSSA Director  
Stacy Hennen, MACSSA President
- VI. **Discussion on Task Force Report Recommendations**
- VII. **Public Testimony**
- VIII. **Adjournment**

Contact Lisa Moriarity if you have questions or would like to testify, as the meeting is open to public discussion: [lisa.moriarity@house.mn](mailto:lisa.moriarity@house.mn) or 651-296-8891.

**LEGISLATIVE TASK FORCE ON CHILD PROTECTION**  
STATE OF MINNESOTA  
SEVENTH MEETING: NOVEMBER 10, 2015

**MINUTES**

Representative Ron Kresha, Co-Chair of the Legislative Task Force on Child Protection, called the meeting to order at 10:55 a.m. on Tuesday, November 10, 2015 in Room 10 of the State Office Building.

Legislative Assistant Lisa Moriarity noted the roll.

Task Force members present:

Representative Ron Kresha, Co-Chair  
Senator Kathy Sheran, Co-Chair  
Representative Joe Mullery  
Representative Peggy Bennett  
Senator Carla Nelson  
Senator Julie Rosen

Task Force members excused: Representative Tom Anzelc and Senator Jeff Hayden

Representative Peggy Bennett moved to adopt the October 27, 2015 meeting minutes. **THE MOTION PREVAILED.**

Jim Koppel, DHS Assistant Commissioner, and Jerry Kerber, DHS Inspector General, gave an overview of the Foster Care Working Group recommendations.

Assistant Commissioner Koppel also provided a status update about the request for proposal (RFP) application for disparity grants. The funding for disparity grants was passed in the 2015 legislative session.

Representatives from DHS and MACSSA (Minnesota Association of County Social Service Administrators) gave an update about the Child Protection Strategy Workgroup.

Jamie Sorenson, Child Safety and Permanency Director, DHS  
Eric Ratzmann, MACSSA Director  
Stacy Hennen, MACSSA President

Co-Chair Kresha asked for members to consider recommendations for the final Task Force Report due February 1, 2016.

Representative Kresha opened the meeting to public testimony.

Jeanne Ronayne, Executive Director, Minnesota Coalition Against Sexual Assault  
Rich Gehrman, Executive Director, Safe Passage for Children of Minnesota  
Lisa Hollensteiner, Physician, Emergency Department, Fairview Health Services

The meeting adjourned at 1:08 p.m.

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Representative Ron Kresha, Co-Chair

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Legislative Assistant, Lisa Moriarity

## **H. Meeting 8: January 19, 2016**

### **Legislative Task Force on Child Protection**

Co-Chairs: Rep. Ron Kresha & Senator Kathy Sheran

#### **Meeting:**

Tuesday, January 19, 2016

10:00 a.m. to 1:00 p.m.

Room 10 State Office Building

#### **Agenda:**

- I. Approval of Minutes from November 10, 2015 Meeting
- II. Review Draft Child Protection Task Force Report/Recommendations
- III. Ombudsperson Work Group Update  
Senator Hayden and Representative Mullery
- IV. Update on Quality Assurance Reviews  
Jamie Sorenson, Child Safety and Permanency Director, DHS  
Lori Munsterman, Training, Quality Assurance and Research & Evaluation Manager, DHS
- V. Update on 24/7 Coverage for Child Maltreatment Reports  
Jamie Sorenson, Child Safety and Permanency Director, DHS  
Carole Wilcox, Child Safety and Prevention Manager, DHS
- VI. Final Child Foster Care Work Group Recommendations  
Jerry Kerber, Inspector General, DHS  
Marvin Davis, Child Safety and Permanency Deputy Director, DHS
- VII. Public Testimony  
Patrice O'Leary, Senior Director Youth, Housing, and Family Resources, Lutheran Social Services  
Amelia Burgess, MD, Minnesota Chapter, American Academy of Pediatrics  
Jennifer Rosenthal  
Angela Eder
- VIII. Adjournment

If you have questions or would like to testify please contact Kristy Graume at [kristy.graume@senate.mn](mailto:kristy.graume@senate.mn).

**LEGISLATIVE TASK FORCE ON CHILD PROTECTION**  
**STATE OF MINNESOTA**  
**January 19, 2016**

**MINUTES**

Senator Sheran called the meeting to order at 10:07 a.m. on Tuesday, January 19, 2016 in Room 10, State Office Building.

Task Force Members Present: Senator Kathy Sheran, Co-Chair, Representative Ron Kresha, Co-Chair, Representative Joe Mullery, Representative Peggy Bennett, Senator Jeff Hayden, Senator Carla Nelson

Task Force Members Excused: Senator Julie Rosen, Representative Tom Anzelc

- I. Senator Nelson moved to adopt the November 10, 2015 meeting minutes. Motion passed, via voice vote.
- II. Update on Quality Assurance Reviews
  - a. Jamie Sorenson, Child Safety and Permanency Director, MN DHS; and
  - b. Lori Munsterman, Training, Quality Assurance and Research and Evaluation Manager, MN DHS.
- III. Ombudsperson Work Group Update
  - a. Senator Hayden and Representative Mullery.
- IV. Update on 24/7 Coverage for Child Maltreatment Reports

\*Members requested that DHS provide follow-up information on the current statutory authority of DHS to direct and overturn local child welfare agency screening decisions.

  - a. Jamie Sorenson, Child Safety and Permanency Director, MN DHS; and
  - b. Carole Wilcox, Child Safety and Prevention Manager, MN DHS.
- V. Child Foster Care Work Group Draft Recommendations
  - a. Jerry Kerber, Inspector General, MN DHS; and
  - b. Marvin Davis, Child Safety and Permanency Deputy Director, MN DHS.
- VI. Review Draft Child Protection Task Force Report
  - a. Laura Larson, MN House Committee Administrator for Legislative Task Force on Child Protection.
- VII. Public Testimony
  - a. Patrice O'Leary, Senior Director, Youth, Housing and Family Resources;
  - b. Amelia Burgess, MD, Minnesota Chapter, American Academy of Pediatrics;
  - c. Jennifer Rosenthal;
  - d. Angela Eder;
  - e. Rich Gehrman, Safe Passage, Executive Director;
  - f. Jill Esch, American Indian Ombudsperson;
  - g. Angela Carlson, RN;

- h. Sara Hendrix; and
- i. Kelis Houston, Founder, Village Arms.

The meeting adjourned at 1:44 p.m.

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Senator Kathy Sheran, Co-Chair

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Kristy Graume, Legislative Assistant



## Appendix II. DHS Child Protection Allocation Formulae

### A. County Staffing/Services Allocation<sup>47</sup>

County/County Consortium	Base Allocation (issued in July)	Performance Withhold (issued in February)	Total Allocation	Est. FTEs at Salary Avg (\$75,000)	County/County Consortium	Base Allocation (issued in July)	Performance Withhold (issued in February)	Total Allocation	Est. FTEs at Salary Avg (\$75,000)
Aitkin	\$60,000	\$15,000	\$75,000	1.0	Meeker	\$60,000	\$15,000	\$75,000	1.0
Anoka	\$955,200	\$238,800	\$1,194,000	15.9	Mille Lacs	\$120,800	\$30,200	\$151,000	2.0
Becker	\$172,800	\$43,200	\$216,000	2.9	Morrison	\$112,800	\$28,200	\$141,000	1.9
Beltrami	\$180,800	\$45,200	\$226,000	3.0	Mower	\$148,000	\$37,000	\$185,000	2.5
Benton	\$138,400	\$34,600	\$173,000	2.3	Nicollet	\$103,200	\$25,800	\$129,000	1.7
Big Stone	\$60,000	\$15,000	\$75,000	1.0	Nobles	\$81,600	\$20,400	\$102,000	1.4
Blue Earth	\$162,400	\$40,600	\$203,000	2.7	Norman	\$60,000	\$15,000	\$75,000	1.0
Brown	\$99,200	\$24,800	\$124,000	1.7	Olmsted	\$492,800	\$123,200	\$616,000	8.2
Carlton	\$125,600	\$31,400	\$157,000	2.1	Otter Tail	\$188,800	\$47,200	\$236,000	3.1
Carver	\$278,400	\$69,600	\$348,000	4.6	Pennington	\$60,000	\$15,000	\$75,000	1.0
Cass	\$108,000	\$27,000	\$135,000	1.8	Pine	\$111,200	\$27,800	\$139,000	1.9
Chippewa	\$60,000	\$15,000	\$75,000	1.0	Polk	\$122,400	\$30,600	\$153,000	2.0
Chisago	\$148,000	\$37,000	\$185,000	2.5	Pope	\$60,000	\$15,000	\$75,000	1.0
Clay	\$205,600	\$51,400	\$257,000	3.4	Ramsey	\$1,608,000	\$402,000	\$2,010,000	26.8
Clearwater	\$60,000	\$15,000	\$75,000	1.0	Red Lake	\$60,000	\$15,000	\$75,000	1.0
Cook	\$60,000	\$15,000	\$75,000	1.0	Renville	\$68,800	\$17,200	\$86,000	1.1
Crow Wing	\$196,800	\$49,200	\$246,000	3.3	Rice	\$184,000	\$46,000	\$230,000	3.1
Dakota	\$1,139,200	\$284,800	\$1,424,000	19.0	Roseau	\$60,800	\$15,200	\$76,000	1.0
Douglas	\$117,600	\$29,400	\$147,000	2.0	St. Louis	\$786,400	\$196,600	\$983,000	13.1
Fillmore	\$64,000	\$16,000	\$80,000	1.1	Scott	\$453,600	\$113,400	\$567,000	7.6
Freeborn	\$97,600	\$24,400	\$122,000	1.6	Sherburne	\$262,400	\$65,600	\$328,000	4.4
Goodhue	\$126,400	\$31,600	\$158,000	2.1	Sibley	\$60,000	\$15,000	\$75,000	1.0
Grant	\$60,000	\$15,000	\$75,000	1.0	Stearns	\$448,000	\$112,000	\$560,000	7.5
Hennepin	\$4,361,600	\$1,090,400	\$5,452,000	72.7	Stevens	\$60,000	\$15,000	\$75,000	1.0
Houston	\$60,000	\$15,000	\$75,000	1.0	Swift	\$65,600	\$16,400	\$82,000	1.1
Hubbard	\$116,000	\$29,000	\$145,000	1.9	Todd	\$86,400	\$21,600	\$108,000	1.4
Isanti	\$131,200	\$32,800	\$164,000	2.2	Traverse	\$60,000	\$15,000	\$75,000	1.0
Itasca	\$156,000	\$39,000	\$195,000	2.6	Wabasha	\$63,200	\$15,800	\$79,000	1.1
Kanabec	\$60,000	\$15,000	\$75,000	1.0	Wadena	\$60,000	\$15,000	\$75,000	1.0
Kandiyohi	\$149,600	\$37,400	\$187,000	2.5	Washington	\$582,400	\$145,600	\$728,000	9.7
Kittson	\$60,000	\$15,000	\$75,000	1.0	Watsonwan	\$60,000	\$15,000	\$75,000	1.0
Koochiching	\$60,000	\$15,000	\$75,000	1.0	Wilkin	\$60,000	\$15,000	\$75,000	1.0
Lac qui Parle	\$60,000	\$15,000	\$75,000	1.0	Winona	\$149,600	\$37,400	\$187,000	2.5
Lake	\$60,000	\$15,000	\$75,000	1.0	Wright	\$383,200	\$95,800	\$479,000	6.4
Lake of the Woods	\$60,000	\$15,000	\$75,000	1.0	Yellow Medicine	\$60,000	\$15,000	\$75,000	1.0
Le Sueur	\$84,800	\$21,200	\$106,000	1.4	SWHHS: Lincoln, Lyon, Murray,				
McLeod	\$161,600	\$40,400	\$202,000	2.7	Pipestone, Rock, Redwood	\$360,000	\$90,000	\$450,000	6.0
Mahnomen	\$60,000	\$15,000	\$75,000	1.0	DVHHS: Cottonwood & Jackson	\$120,000	\$30,000	\$150,000	2.0
Marshall	\$60,000	\$15,000	\$75,000	1.0	Faribault-Martin	\$161,600	\$40,400	\$202,000	2.7
					MN Prairie: Dodge, Steele, Waseca	\$257,600	\$64,400	\$322,000	4.3
					<b>Total</b>	<b>\$18,680,000</b>	<b>\$4,670,000</b>	<b>\$23,350,000</b>	<b>311.3</b>

<sup>47</sup> Minnesota Department of Human Services. *Child Protection Allocation*. July 8, 2015, page 8.

## B. Performance Withholds: Timely Face-to-Face Contact with Alleged Child Victim<sup>48</sup>

Final CY 2014				CY 2013			CY 2012			Three Year Average (2012-2014)		
	Numerator	Denominator	Results	Numerator	Denominator	Results	Numerator	Denominator	Results	Numerator	Denominator	Results
County/County Consortium	Within time frame	Total child subjects	Percent having contact within time frame	Within time frame	Total child subjects	Percent having contact within time frame	Within time frame	Total child subjects	Percent having contact within time frame	Within time frame	Total child subjects	Percent having contact within time frame
Aitkin	57	102	55.9%	59	111	53.2%	47	87	54.0%	163	300	54.3%
Anoka	805	965	83.4%	737	925	79.7%	862	1,055	81.7%	2,404	2,945	81.6%
Becker	279	328	85.1%	266	361	73.7%	159	223	71.3%	704	912	77.2%
Beltrami	195	278	70.1%	194	287	67.6%	129	209	61.7%	518	774	66.9%
Benton	142	163	87.1%	111	137	81.0%	135	153	88.2%	388	453	85.7%
Big Stone	30	42	71.4%	14	15	93.3%	16	31	51.6%	60	88	68.2%
Blue Earth	171	190	90.0%	154	204	75.5%	195	292	66.8%	520	686	75.8%
Brown	179	206	86.9%	183	200	91.5%	150	167	89.8%	512	573	89.4%
Carlton	209	248	84.3%	177	196	90.3%	201	227	88.5%	587	671	87.5%
Carver	275	302	91.1%	265	317	83.6%	300	339	88.5%	840	958	87.7%
Cass	104	143	72.7%	122	155	78.7%	105	143	73.4%	331	441	75.1%
Chippewa	45	45	100.0%	46	46	100.0%	34	34	100.0%	125	125	100.0%
Chisago	127	154	82.5%	125	154	81.2%	102	133	76.7%	354	441	80.3%
Clay	274	323	84.8%	268	371	72.2%	190	307	61.9%	732	1,001	73.1%
Clearwater	123	133	92.5%	139	182	76.4%	167	207	80.7%	429	522	82.2%
Cook	16	22	72.7%	29	37	78.4%	13	22	59.1%	58	81	71.6%
Crow Wing	279	333	83.8%	216	237	91.1%	198	250	79.2%	693	820	84.5%
Dakota	1,393	1,677	83.1%	1,295	1,518	85.3%	1,385	1,652	83.8%	4,073	4,847	84.0%
Douglas	197	237	83.1%	195	264	73.9%	197	247	79.8%	589	748	78.7%
Fillmore	70	80	87.5%	62	69	89.9%	55	61	90.2%	187	210	89.0%
Freebom	127	142	89.4%	140	164	85.4%	95	108	88.0%	362	414	87.4%
Goodhue	138	156	88.5%	117	145	80.7%	38	75	50.7%	293	376	77.9%
Grant	49	59	83.1%	63	67	94.0%	52	58	89.7%	164	184	89.1%
Hennepin	3,974	6,701	59.3%	3,751	6,757	55.5%	3,899	6,029	64.7%	11,624	19,487	59.7%
Houston	31	49	63.3%	26	46	56.5%	22	42	52.4%	79	137	57.7%
Hubbard	191	220	86.8%	124	145	85.5%	92	129	71.3%	407	494	82.4%
Isanti	122	160	76.3%	183	233	78.5%	156	185	84.3%	461	578	79.8%
Itasca	194	255	76.1%	211	295	71.5%	151	209	72.2%	556	759	73.3%
Kanabec	54	65	83.1%	45	58	77.6%	97	113	85.8%	196	236	83.1%
Kandiyohi	251	294	85.4%	284	342	83.0%	249	306	81.4%	784	942	83.2%
Kittson	15	16	93.8%	3	5	60.0%	11	16	68.8%	29	37	78.4%
Koochiching	55	70	78.6%	52	61	85.2%	51	68	75.0%	158	199	79.4%
Lac qui Parle	35	40	87.5%	46	56	82.1%	26	26	100.0%	107	122	87.7%
Lake	45	53	84.9%	52	64	81.3%	44	71	62.0%	141	188	75.0%
Lake of the Woods	15	16	93.8%	21	21	100.0%	13	14	92.9%	49	51	96.1%
Le Sueur	98	110	89.1%	67	67	100.0%	90	92	97.8%	255	269	94.8%
McLeod	279	304	91.8%	233	255	91.4%	184	211	87.2%	696	770	90.4%
Mahnomen	18	21	85.7%	7	12	58.3%	4	8	50.0%	29	41	70.7%

<sup>48</sup> Ibid. Pages 9-10.

Final CY 2014				CY 2013			CY 2012			Three Year Average (2012-2014)		
	Numerator	Denominator	Results	Numerator	Denominator	Results	Numerator	Denominator	Results	Numerator	Denominator	Results
County/County Consortium	Within time frame	Total child subjects	Percent having contact within time frame	Within time frame	Total child subjects	Percent having contact within time frame	Within time frame	Total child subjects	Percent having contact within time frame	Within time frame	Total child subjects	Percent having contact within time frame
Marshall	56	58	96.6%	50	52	96.2%	52	56	92.9%	158	166	95.2%
Meeker	54	61	88.5%	27	33	81.8%	20	32	62.5%	101	126	80.2%
Mille Lacs	248	280	88.6%	293	329	89.1%	206	229	90.0%	747	838	89.1%
Morrison	164	170	96.5%	125	137	91.2%	126	129	97.7%	415	436	95.2%
Mower	257	317	81.1%	163	238	68.5%	141	179	78.8%	561	734	76.4%
Nicollet	86	89	96.6%	78	78	100.0%	126	140	90.0%	290	307	94.5%
Nobles	144	180	80.0%	93	115	80.9%	67	77	87.0%	304	372	81.7%
Norman	65	67	97.0%	45	58	77.6%	54	59	91.5%	164	184	89.1%
Olmsted	686	775	88.5%	642	709	90.6%	537	613	87.6%	1,865	2,097	88.9%
Otter Tail	255	328	77.7%	223	298	74.8%	241	317	76.0%	719	943	76.2%
Pennington	15	28	53.6%	20	38	52.6%	12	26	46.2%	47	92	51.1%
Pine	167	235	71.1%	114	241	47.3%	125	218	57.3%	406	694	58.5%
Polk	282	299	94.3%	337	352	95.7%	255	286	89.2%	874	937	93.3%
Pope	53	66	80.3%	94	107	87.9%	59	74	79.7%	206	247	83.4%
Ramsey	2,050	2,200	93.2%	1,723	1,865	92.4%	1,659	1,841	90.1%	5,432	5,906	92.0%
Red Lake	7	7	100.0%	2	2	100.0%	4	4	100.0%	13	13	100.0%
Renville	79	114	69.3%	51	92	55.4%	54	71	76.1%	184	277	66.4%
Rice	255	298	85.6%	211	249	84.7%	240	266	90.2%	706	813	86.8%
Roseau	63	67	94.0%	54	63	85.7%	41	50	82.0%	158	180	87.8%
St. Louis	1,270	1,723	73.7%	1,187	1,790	66.3%	1,166	1,663	70.1%	3,623	5,176	70.0%
Scott	493	589	83.7%	539	654	82.4%	452	515	87.8%	1,484	1,758	84.4%
Sherburne	247	278	88.8%	273	302	90.4%	213	239	89.1%	733	819	89.5%
Sibley	79	87	90.8%	76	93	81.7%	65	73	89.0%	220	253	87.0%
Stearns	378	625	60.5%	383	652	58.7%	299	515	58.1%	1,060	1,792	59.2%
Stevens	49	53	92.5%	24	32	75.0%	41	61	67.2%	114	146	78.1%
Swift	137	159	86.2%	59	69	85.5%	85	94	90.4%	281	322	87.3%
Todd	85	119	71.4%	79	129	61.2%	91	118	77.1%	255	366	69.7%
Traverse	64	67	95.5%	39	47	83.0%	35	44	79.5%	138	158	87.3%
Wabasha	91	106	85.8%	56	76	73.7%	54	77	70.1%	201	259	77.6%
Wadena	91	115	79.1%	148	195	75.9%	144	185	77.8%	383	495	77.4%
Washington	514	554	92.8%	533	574	92.9%	511	605	84.5%	1,558	1,733	89.9%
Watsonwan	27	32	84.4%	37	49	75.5%	42	60	70.0%	106	141	75.2%
Wilkin	26	32	81.3%	11	15	73.3%	11	19	57.9%	48	66	72.7%
Winona	331	347	95.4%	364	392	92.9%	302	337	89.6%	997	1,076	92.7%
Wright	416	498	83.5%	316	424	74.5%	365	464	78.7%	1,097	1,386	79.1%
Yellow Medicine	66	68	97.1%	87	96	90.6%	58	68	85.3%	211	232	90.9%
SWHHS: Lincoln, Lyon, Murray, Pipestone, Rock, Redwood	305	387	78.8%	288	380	75.8%	277	331	83.7%	870	1,098	79.2%
DVHHS: Cottonwood & Jackson	89	96	92.7%	61	82	74.4%	90	100	90.0%	240	278	86.3%
Faribault-Martin	278	348	79.9%	210	272	77.2%	189	284	66.5%	677	904	74.9%
MN Prairie: Dodge, Steele, Waseca	331	376	88.0%	299	373	80.2%	233	299	77.9%	857	1,048	81.8%
Minnesota (Counties)	21,014	27,000	77.8%	19,496	26,331	74.0%	18,656	24,417	76.4%	59,160	77,748	76.1%



## C. Performance Withholds: Monthly Face-to-Face Visits by Caseworker<sup>49</sup>

	Final CY 2014			CY 2013			CY 2012			Three Year Average (2012-2014)		
	Numerator	Denominator	Results	Numerator	Denominator	Results	Numerator	Denominator	Results	Numerator	Denominator	Results
County/County Consortium	Total months that had a visit	Total months requiring visits in care	Percent of months with a social worker visit	Total months that had a visit	Total months requiring visits in care	Percent of months with a social worker visit	Total months that had a visit	Total months requiring visits in care	Percent of months with a social worker visit	Total months that had a visit	Total months requiring visits in care	Percent of months with a social worker visit
Aitkin	175	204	85.8%	182	204	89.2%	140	145	96.6%	497	553	89.9%
Anoka	1,966	2,223	88.4%	1,731	1,968	88.0%	1,531	1,754	87.3%	5,228	5,945	87.9%
Becker	989	1,050	94.2%	1,008	1,041	96.8%	807	814	99.1%	2,804	2,905	96.5%
Beltrami	1,178	5,755	20.5%	1,203	4,456	27.0%	1,202	1,540	78.1%	3,583	11,751	30.5%
Benton	596	639	93.3%	435	440	98.9%	361	367	98.4%	1,392	1,446	96.3%
Big Stone	96	102	94.1%	68	76	89.5%	128	132	97.0%	292	310	94.2%
Blue Earth	611	670	91.2%	607	653	93.0%	649	698	93.0%	1,867	2,021	92.4%
Brown	242	260	93.1%	209	216	96.8%	130	132	98.5%	581	608	95.6%
Carlton	541	583	92.8%	606	670	90.4%	532	583	91.3%	1,679	1,836	91.4%
Carver	411	522	78.7%	422	493	85.6%	331	385	86.0%	1,164	1,400	83.1%
Cass	415	643	64.5%	345	418	82.5%	228	263	86.7%	988	1,324	74.6%
Chippewa	19	19	100.0%	30	30	100.0%	32	32	100.0%	81	81	100.0%
Chisago	401	453	88.5%	300	331	90.6%	138	149	92.6%	839	933	89.9%
Clay	878	972	90.3%	774	863	89.7%	722	769	93.9%	2,374	2,604	91.2%
Clearwater	172	251	68.5%	228	259	88.0%	85	97	87.6%	485	607	79.9%
Cook	70	82	85.4%	70	81	86.4%	73	79	92.4%	213	242	88.0%
Crow Wing	770	1,057	72.8%	617	909	67.9%	769	1,021	75.3%	2,156	2,987	72.2%
Dakota	972	1,088	89.3%	1,143	1,214	94.2%	1,025	1,054	97.2%	3,140	3,356	93.6%
Douglas	220	246	89.4%	274	299	91.6%	306	332	92.2%	800	877	91.2%
Fillmore	175	203	86.2%	139	153	90.8%	129	135	95.6%	443	491	90.2%
Freeborn	335	350	95.7%	307	324	94.8%	250	278	89.9%	892	952	93.7%
Goodhue	448	499	89.8%	330	370	89.2%	189	243	77.8%	967	1,112	87.0%
Grant	81	95	85.3%	122	130	93.8%	73	73	100.0%	276	298	92.6%
Hennepin	9,452	12,187	77.6%	8,872	10,920	81.2%	7,568	8,953	84.5%	25,892	32,060	80.8%
Houston	116	121	95.9%	112	139	80.6%	96	114	84.2%	324	374	86.6%
Hubbard	451	490	92.0%	292	372	78.5%	198	245	80.8%	941	1,107	85.0%
Isanti	517	534	96.8%	450	461	97.6%	260	265	98.1%	1,227	1,260	97.4%
Itasca	682	895	76.2%	510	621	82.1%	494	570	86.7%	1,686	2,086	80.8%
Kanabec	153	172	89.0%	148	164	90.2%	108	113	95.6%	409	449	91.1%
Kandiyohi	581	622	93.4%	476	549	86.7%	490	547	89.6%	1,547	1,718	90.0%
Kittson	66	92	71.7%	125	148	84.5%	80	92	87.0%	271	332	81.6%
Koochiching	116	203	57.1%	180	264	68.2%	111	158	70.3%	407	625	65.1%
Lac qui Parle	192	201	95.5%	134	138	97.1%	63	64	98.4%	389	403	96.5%
Lake	139	160	86.9%	89	99	89.9%	119	136	87.5%	347	395	87.8%
Lake of the Woods	13	13	100.0%	3	4	75.0%			#DIV/0!	16	17	94.1%
Le Sueur	228	228	100.0%	121	123	98.4%	60	62	96.8%	409	413	99.0%
McLeod	420	460	91.3%	337	362	93.1%	309	331	93.4%	1,066	1,153	92.5%
Mahnomen	91	119	76.5%	31	71	43.7%	38	52	73.1%	160	242	66.1%

<sup>49</sup> Ibid. Pages 11-12.

	Final CY 2014			CY 2013			CY 2012			Three Year Average (2012-2014)		
	Numerator	Denominator	Results	Numerator	Denominator	Results	Numerator	Denominator	Results	Numerator	Denominator	Results
County/County Consortium	Total months that had a visit	Total months requiring visits in care	Percent of months with a social worker visit	Total months that had a visit	Total months requiring visits in care	Percent of months with a social worker visit	Total months that had a visit	Total months requiring visits in care	Percent of months with a social worker visit	Total months that had a visit	Total months requiring visits in care	Percent of months with a social worker visit
Marshall	87	97	89.7%	64	73	87.7%	66	69	95.7%	217	239	90.8%
Meeker	209	227	92.1%	319	330	96.7%	269	285	94.4%	797	842	94.7%
Mille Lacs	848	1,101	77.0%	279	326	85.6%	186	190	97.9%	1,313	1,617	81.2%
Morrison	439	447	98.2%	422	427	98.8%	306	307	99.7%	1,167	1,181	98.8%
Mower	475	513	92.6%	490	526	93.2%	423	497	85.1%	1,388	1,536	90.4%
Nicollet	281	285	98.6%	232	235	98.7%	237	240	98.8%	750	760	98.7%
Nobles	318	369	86.2%	269	283	95.1%	173	231	74.9%	760	883	86.1%
Norman	70	71	98.6%	84	90	93.3%	67	77	87.0%	221	238	92.9%
Olmsted	1,085	1,125	96.4%	1,004	1,061	94.6%	973	1,007	96.6%	3,062	3,193	95.9%
Otter Tail	376	412	91.3%	271	294	92.2%	264	303	87.1%	911	1,009	90.3%
Pennington	132	401	32.9%	181	359	50.4%	202	317	63.7%	515	1,077	47.8%
Pine	377	625	60.3%	448	666	67.3%	246	296	83.1%	1,071	1,587	67.5%
Polk	483	492	98.2%	579	584	99.1%	449	456	98.5%	1,511	1,532	98.6%
Pope	122	141	86.5%	152	161	94.4%	144	148	97.3%	418	450	92.9%
Ramsey	5,344	6,749	79.2%	5,837	7,190	81.2%	5,003	5,965	83.9%	16,184	19,904	81.3%
Red Lake	10	11	90.9%	5	5	100.0%	10	10	100.0%	25	26	96.2%
Renville	185	227	81.5%	162	184	88.0%	89	97	91.8%	436	508	85.8%
Rice	529	614	86.2%	448	484	92.6%	428	472	90.7%	1,405	1,570	89.5%
Roseau	46	49	93.9%	51	61	83.6%	49	50	98.0%	146	160	91.3%
St. Louis	3,747	5,720	65.5%	3,663	5,283	69.3%	3,251	4,379	74.2%	10,661	15,382	69.3%
Scott	273	280	97.5%	340	361	94.2%	377	386	97.7%	990	1,027	96.4%
Sherburne	480	498	96.4%	378	396	95.5%	297	301	98.7%	1,155	1,195	96.7%
Sibley	161	180	89.4%	75	93	80.6%	57	64	89.1%	293	337	86.9%
Stearns	1,904	2,077	91.7%	1,548	1,689	91.7%	1,314	1,404	93.6%	4,766	5,170	92.2%
Stevens	56	62	90.3%	87	91	95.6%	47	49	95.9%	190	202	94.1%
Swift	267	278	96.0%	152	163	93.3%	173	187	92.5%	592	628	94.3%
Todd	512	524	97.7%	384	407	94.3%	291	302	96.4%	1,187	1,233	96.3%
Traverse	68	69	98.6%	39	43	90.7%	43	46	93.5%	150	158	94.9%
Wabasha	238	298	79.9%	234	280	83.6%	143	188	76.1%	615	766	80.3%
Wadena	108	117	92.3%	113	118	95.8%	217	223	97.3%	438	458	95.6%
Washington	772	862	89.6%	718	776	92.5%	641	670	95.7%	2,131	2,308	92.3%
Watsonwan	92	94	97.9%	127	128	99.2%	145	146	99.3%	364	368	98.9%
Wilkin	44	45	97.8%	41	44	93.2%	54	59	91.5%	139	148	93.9%
Winona	246	278	88.5%	148	195	75.9%	192	225	85.3%	586	698	84.0%
Wright	932	1,026	90.8%	841	977	86.1%	658	768	85.7%	2,431	2,771	87.7%
Yellow Medicine	125	125	100.0%	145	146	99.3%	125	125	100.0%	395	396	99.7%
SWHHS: Lincoln, Lyon, Murray, Pipestone, Rock, Redwood	970	1,056	91.9%	942	998	94.4%	1,076	1,496	71.9%	2,988	3,550	84.2%
DVHHS: Cottonwood & Jackson	292	298	98.0%	443	460	96.3%	333	354	94.1%	1,068	1,112	96.0%
Faribault-Martin	713	758	94.1%	753	801	94.0%	536	557	96.2%	2,002	2,116	94.6%
MN Prairie: Dodge, Steele, Waseca	652	667	97.8%	589	607	97.0%	463	528	87.7%	1,701	1,802	94.4%
Minnesota	49,046	63,731	77.0%	46,087	57,428	80.3%	39,841	46,251	86.1%	134,971	167,410	80.6%

## Appendix III. DHS Status of Recommendations Implementation

### A. Summary of Current Implementation of Recommendations from the Governor’s Task Force on the Protection of Children

#### Recommendations initiated or implemented as of January 25, 2016:

#	Description
1	Revise the public policy statement to identify child safety as the paramount consideration for decision making.
2	Repeal the statutory provision barring consideration of previously screened-out reports.
3	Make intake/screening decisions in consultation with a MDT, or minimally with a supervisor.
4	Review, revise and establish clear child protection intake, screening and track assignment guidelines.
5	Provide additional guidance on screening. (Partially completed)
6	Implement a MDT approach to screening; consult with the county attorney’s office when there is ambiguity regarding screening decision. (Partially completed)
7	Screen new reports in as duplicate reports when they include the same allegations that are currently receiving a child protection response. (In Guidelines; pending SSIS action.)
8	Require local county and tribal agencies to take a report even if it is not responsible for screening of a particular report because of jurisdictional issues. (In Guidelines; pending SSIS action.)
13	Send all reports of maltreatment (screened in and screened out) to law enforcement.
14	Amend statutes to allow screeners to seek collateral information from mandated reporters when making screening decisions.
15	Clarify statutory provisions regarding release of data to mandated reporters.
19	Amend the statutory definition of “physical abuse” to delete the language “that are done in anger or without regard to the safety of the child.”
23	Change the statutory definition of “report.”
26	Revise guidelines to provide explicit guidance on reports related to older children. (Partially completed)
30	Differential Response and Traditional Response are both involuntary child protection responses to reports of child maltreatment. Both must provide assessment of child safety while identifying key family strengths.
31	Make child safety the focus of any child protection response, and amend the statute to remove identification of differential response as the preferred response method.
33	Ensure fact-finding occurs in all child protection responses. (Partially completed)

36	Retain dual pathways for responding to reports of maltreatment, and define explicit criteria for immediate assignment of high risk allegations of maltreatment.
37	Develop a required information standard for making pathway response decisions.
38	Define clear and consistent pathway assignment criteria. (Partially completed)
43	Require consultation with the county or tribal attorney to determine the appropriateness of filing a CHIPS petition prior to closing a child protection case when a family has not engaged in services, and child safety and/or risk issues have not been mitigated.
53	Support development of “cultural navigator” and parent mentor positions to act as liaisons with racial and ethnic communities.
54	Identify and link previous and current disparities work to future intervention strategies.
58	Include representation from the African-American community, tribes and other underrepresented groups in development of policy guidance, best practice strategies and protocols.
59	Provide clear guidance about including a tribal representative as part of a multi-disciplinary team (MDT) whenever a case involving a tribal child is reviewed.
62	Increase monitoring and evaluation.
67	Continue to support Title IV-E educational programs available through Minnesota colleges and universities.
77	Identify outcome measures for child safety and child well-being.
79	Continue statewide review of screened-out reports.
83	Restructure the annual statewide child welfare report.
84	Provide a report to the Legislature by January 2016 describing progress on implementation of recommendations, plans for longer-term child welfare reforms, and key drivers that result in children/families entering the child welfare system.
87	Increase funding for county staffing to carry out additional casework responsibilities.
88	Provide additional funding for intervention services needed to support children and families.
90	Allocate competitive grants to identify, develop and adapt culturally affirming promising practices or programs that address disparities and disproportionality in the child welfare system.
91	Increase funding for state oversight, including monitoring, training, child fatality reviews, grant management, quality assurance, etc.
93	Prioritize all recommendations to develop a multi-year implementation plan.

**Recommendations currently being addressed by work groups:**

**Child Protection Fatality and Near Fatality Review Work Group**

#	Description
75	Redesign the current child mortality review process to include two separate processes: one for reviewing child fatalities and near fatalities due to maltreatment and/or suspected maltreatment, and the other to review fatalities and near fatalities not due to maltreatment.

85	Develop a public website for the purpose of posting information on child fatalities classified as public by the Child Abuse, Prevention and Treatment Act (CAPTA).
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#### **Professional Development Work Group**

#	Description
63	Research, identify, develop curriculum and provide training on culturally affirming approaches and practices when working with African-American and American Indian families.
65	Enhance the Minnesota Child Welfare Training System, including development and implementation of a Child Protection Training Academy.
66	*Establish requirements for initial training and continuing education for supervisors.
69	*Require local agencies to develop and submit a plan for attending to secondary traumatic stress in the workforce.
72	*Require child protection staff, supervisors and managers to participate annually in advanced training.
73	Develop curriculum that fosters a multi-disciplinary approach on responding to reports of child maltreatment.

\*Will require legislation to fully implement.



## **B. 2016 Plan for Initiating or Implementing Recommendations from the Governor’s Task Force on the Protection of Children**

### **Recommendations currently being addressed outside of work group process:**

#	Description
9	Make needed information technology (IT) changes to ensure accountability regarding reports of maltreatment.
34	Encourage and support the use of MDT decision making.
46	Complete trauma pre-screenings on children during a child protection response. (Pilot project with five counties begins March 2015.)
81	Update the Social Services Information System (SSIS) system to ensure accurate data and reports.
82	Enhance the “Child Welfare Data Dashboard.”

### **Domestic Violence Work Group:**

The Domestic Violence Work Group will convene in March 2016 to address the following recommendations.

#	Description
10	Require reporting of Orders for Protection (OFP) and Harassment Restraining Orders (HRO) where a child was present as a maltreatment report.
11	Develop practice models related to closing cases when an OFP or HRO has been filed.
12	At the point of intake, complete a search of pertinent records.
17	Develop and provide guidance for responding to reports involving allegations of domestic violence.

### **Legislation required:**

The following recommendations require legislative action to implement.

#	Description
16a	Amend the definition of “substantial child endangerment” to include injury to the face, head, back or abdomen of children under age 6, and injury to the buttocks of children under age 3.
16b	Amend the definition of “substantial child endangerment” to include failure to thrive due to parental neglect.
16d	Amend the definition of “substantial child endangerment” to include abandonment occurring when a parent has no contact with their child on a regular basis, and has not demonstrated consistent interest in the child’s well-being.

## C. Other 2016 Recommendations

There are plans to address, initiate and/or implement the following recommendations in 2016, some of which will result in additional guidance and/or training to local agency staff.

#	Description
24	Examine possible development of a statewide child abuse and neglect reporting system.
25	Engage an independent reviewer with expertise in child protection services to review Minnesota's child protection system.
32	Interview children individually first and prior to contact with parent/legal guardian whenever possible. Research and implement training on best practices on child interviewing protocols.
35	Adopt stronger, more robust intake and screening tools.
39	Monitor and evaluate initial pathway assignments and path changes.
40	Review, update and validate all decision-making tools.
41	Identify a validated safety assessment tool.
47	Engage an outside expert to work with statewide staff to advise, develop and implement Minnesota's child protection response continuum.
48	Convene a work group for further analysis and definition of threats to child safety and risk of maltreatment as the foundation for developing a comprehensive child protection response continuum.
50	Make referrals for clinical, mental health and functional assessments for children and their families when indicated.
52	Model and provide leadership to reduce disparities.
60	*Expand the number of Initiative tribes.
92	*Increase funding for intake and screening tools.

\*Will require legislation to fully implement.

# Appendix IV. Tribal Nations to State of Minnesota Child Protection Task Force

The following information was distributed to task force members on October 13, 2015.

## TRIBAL NATIONS TO STATE OF MN CHILD PROTECTION TASK FORCE

### RECOMMENDATIONS

Oct 13, 2015

*The Indian Child Welfare Advisory Council recommends that the Legislative Task Force on Child Protection:*

1. Acknowledge that all Indian children living in the state of Minnesota, both within and outside of the boundaries of the 11 tribal nations in the state, are citizens of the state of Minnesota and should be afforded all the protections of the state;
2. Acknowledge that our Indian children are also protected by laws specific to their status as members of federally recognized tribal nations. These laws include the federal Indian Child Welfare Act, and the Minnesota Indian Family Preservation Act;
3. Recognize Tribal Sovereignty; namely, that there are 11 Tribal Nations in the state of MN which are in the best position to make decisions regarding the best interests of their Indian children—each with an existing child protection system;
4. Recognize that the most important resource in our tribal nations is *our children* and that our goal is to preserve their connection to our culture and traditional teachings;
5. Recognize that tribal and family connectedness is a key principle of our Tribal Nations and our traditional tribal values – and that this is the foundation for the placement preferences outlined in both ICWA and MIFPA;
6. Support the goal of placing out Indian children within their extended families or tribes in instances where our children must be removed from their homes;
7. Recognize that our traditional customs, practice, and values of each Tribal Nation contains inherent assets that provide Indian families the best means of promoting health and healing and healing;
8. Recognize our tribal child welfare programs as a key partner in the child protection system in the state of Minnesota;
9. Require the DHS to incorporate plain language into the Child Maltreatment Screening Guidelines that delineate a requirement to immediately develop protocol(s) that counties are required to follow to implement procedures for responding to reports involving our Indian children;
10. Require the DHS to immediately consult and actively engage our Tribal Nations in the establishment of standards and administrative rules for the screening and investigation of all reports of maltreatment involving our Indian children;
11. Require the DHS to employ at least one staff person, with knowledge and experience working with Indian children and families, to provide oversight and guidance on the development of effective county agencies screening practices and decisions to ensure consistent application of screening guidelines; thorough and appropriate screening decisions; and correct documentation and maintenance of reports involving Indian children and families;

12. Require the DHS to develop a training curriculum designed to lead to an "ICWA certification"—created and trained by American Indian staff—that is financed by the state and is incorporated into the DHS Social Worker Training System. The training will be developed in a manner to improve social worker skills that promote an American Indian client's heritage/culture as well as the ability to integrate the American Indian client's traditions, customs, and values into service delivery;
13. Require that all child protection staff in counties, in which greater than 25% of their out of home placement involves our Indian children, be mandated to obtain an "ICWA certification";
14. Mandate the incorporation and monitoring of compliance with the Indian Child Welfare Act and Minnesota Indian Family Preservation Act into the DHS Child Protection Screening Guidelines and in instances where there is a need for a corrective action plan impose standards and timelines to bring the county back into compliance--subjecting the county to fiscal penalties for non-compliance with corrective action requirements and timelines;
15. Require that counties responsible for investigating or assessing a report of maltreatment to mandatorily engage in the provision of active efforts to provide remedial and rehabilitative programs designed to prevent the breakup of the Indian family---and that this be done in all instances when an Indian child is reported as maltreated regardless of whether the report is screened in or screened out. (Note: Active efforts means more than reasonable efforts, and requires acknowledging traditional helping and healing systems of an Indian child's tribe, and using these systems as the core to help and to heal the Indian child and family.);
16. Require counties to notify and request involvement of the tribe(s) or designated tribal representative(s) to participate in the case at the earliest point possible, and actively solicit their advice throughout the case;
17. Require counties to actively engage and consult with the tribe(s) about availability of tribal support for the family, including traditional practices, as well as other tribal services, and to use these tribally-based family preservation and reunification services whenever available. In instances where tribally-based services are not available, make referrals to other Indian agencies for services;
18. Require that counties request that tribally designated representative(s) with substantial knowledge of social and cultural standards and child-rearing practices within the tribal community evaluate the family's circumstances, and assist in developing a case plan that uses tribal and Indian resources;
19. Require counties to provide access to both tribal and non-tribal services, including but not limited to, financial assistance, food, clothing, housing, health care and transportation. Services are to be on-going throughout the case to directly assist families in accessing and engaging services and are to be the fiscal responsibility of the county of residence;
20. Require that the Minnesota Assessment of Parenting for Children and Youth (MAPCY) creates a special rate that will be made available to a child's caregiver because the child needs extraordinary care and intense supervision by a child's caregiver as a result of being prenatally exposed to alcohol and/or other drugs, including prescription drugs;

21. Require that the DHS Licensing Division intentionally create a process to expedite a foster care licensing variance for American Indian families that do not pose an imminent risk of harm or a risk of harm requiring continuous, direct supervision while providing direct contact services;
22. Require the incorporation of quality assurance efforts into the DHS County Child Protection Quality Improvement reviews that include the monitoring of a county's compliance with ICWA and MIFPA and that any deficits are addressed by making changes to policy and procedure;
23. Require that the Department of Human Services program the ICWA Checklist into its Social Service Information System (SSIS) and locate these in a prominent position so counties are provided an information system tool that outlines the process to comply with the ICWA and MIFPA;
24. Require that the Department of Human Service's provide full access to SSIS to Tribes in cases involving our Indian children that will allow a tribe to more actively track and participate in the case planning for our children; currently, Tribes are dependent upon being granted access as a secondary assignment by the County involved;
25. Introduce a legislative proposal that will result in an appropriation to be used to invest in tribal child welfare programs on par with the state's investment in county child protection system—while acknowledging that tribal governments do not have a tax base to finance child welfare programming;
26. Require the DHS to contract with American Indian consultants to develop and deliver a series of training on ICWA, MIFPA and the TSA that will be mandated for all county child welfare staff, especially for the new county hires resulting from the 2015 legislative appropriation of \$25 million allocated to counties to strengthen their child protection programs;
27. Require that counties, in which greater than 25% of their out of home placement involves our Indian children, use funds provided by the 2015 legislature to hire American Indian staff equal to that counties out of home placement rate;
28. Require the DHS to actively engage and consult with each of the 11 Tribal Nations to develop a Work Plan that will be designed to implement each of the above recommendations.