

## **DRAFT MINUTES, VA FAMILY AND CHILDREN'S TRUST FUND (VA-FACT) Board of Trustees Meeting, December 9, 2021**

### **Participation:**

Trustees Present: Allison Lawrence (Chair), Judy Kurtz (Vice Chair), Jennifer Gillyard (Secretary), Dominique Marsalek (Treasurer), Gena Berger (Chief Deputy Commissioner, Commissioner's Designee), Beverly Crowder, Tavares Floyd, Tiffany Garner, Linda Gilliam, Tarina Keene, Virginia (Ginny) Powell, Season Roberts and Linda Wilkinson

Trustees Absent: Carter Batey, Yvonne Bibbs and Maureen Coffey

Staff Present: Nicole Poulin (Executive Director), Taylor Davis (Senior Research Associate) and Michelle L'Hommedieu (Attorney)

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**Opening:** Chairperson Lawrence called the meeting to order at 10:14 AM

**Decisions and Actions:** The following actions were approved by the Board unanimously unless otherwise noted.

Minutes: Trustees reviewed the minutes from the September 2021 Board meeting. A motion to approve minutes was held; Trustee Floyd approved the motion and Trustee Keene seconded.

Chair's Report: Chairperson Lawrence discussed the results of FACT's 35<sup>th</sup> Anniversary. She thanks everyone who participated in the virtual events held during the week of November 8th- 12th. Videos of FACT testimonies and events are available via FACT's social media pages. The fundraising goal of \$10,000 has not been met; FACT raised \$2,285 during the Anniversary week and separately FACT received \$8,060 from the tax write off program. The Chair implored trustees to make their annual contribution before the end of the year.

VDSS Report: Trustee Berger provided an update. Highlights included:

- The Governor will be announcing the budget on December 16<sup>th</sup>.
- General assembly approved money for the America Rescue Plan Act (ARPA) during the August 2021 Special Session
- There were 2 buckets of the ARPA funding
  - CBCAP/CAPTA and public benefit program funding.
  - One million in flex dollars (focused on educational campaign and mini grants) for localities that will flow through DSS to TICNS (FACT will be a stakeholder and serve as part of the executive body to determine how these dollars should be disbursed).
- DSS asked for tweaks to language in budget to clarify legal terminology; they asked permission to roll over ARPA dollars from the fiscal year and are now waiting for approvals.

*Update to Highlight:* The one million dollars is set to expire in June 2022. Therefore, VDSS will split the million in half. The first half million will go towards a statewide awareness campaign which a TICN oversee. The activities should be related to COVID-19 relief. VDSS will release an RFP in January 2022 for this campaign that will include activities to be held during Resilience week in May

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2022. FACT's expertise will be leaned on throughout this process- Gena will provide a draft of the RFA to Nicole to send to the Grants Committee members for review and comments. The remaining half million will be grants to local TICNs. For both disbursements VDSS requested that funds roll over into the next fiscal year in order for awareness campaigns to continue and hopefully by then, monies for the grants can be directly transferred to FACT to conduct the grant process for local TICNs.

- There were two pieces of legislation presented to track:
  - A bill to change the definition of voluntary unemployment by removing incarcerated individuals from the definition. Virginia is one of six states who is out of compliance with a 2016 Obama Administration federal regulation that prohibits designating an incarcerated individual as voluntarily unemployed when incarceration is involuntary. If we do not comply, we will lose \$72 million in child support federal funding and alternative funding has not been identified. Some advocate groups opposed to the change because they believe it will reward bad behavior. However, during incarceration child support payments accrue with interest which places additional financial barriers upon returning citizens since a lack of payment contributes to a loss of one's license thus their ability to drive and obtain then maintain employment. The financial strain further contributes to a cycle of poverty and recidivism.
    - A motion was made to draft a letter from FACT in support of Delegate Scott's house bill that will change the voluntary unemployment definition for noncustodial parents who are incarcerated. The letter will be signed by the Chair and sent to the legislature including everyone on the judiciary and courts committees. The motion was approved by Trustee Keene and seconded by Trustee Wilkinson.
  - A bill called "No Eject, No Reject" is being constructed to address the problem of local social service departments housing children in hotels and within the building due to a lack of placements that can care for children and youth with mental health challenges. Once drafted there will be a comment period and FACT should weigh in and offer up suggesting especially around recruitment of resource providers/families and training.

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**Discussions:** The following reports and discussions did not conclude with formal proposals for action. However, they do highlight areas of substantive discussion on which the Board may want to act in the future.

**Treasurer's Report:** Treasurer Marsalek gave a financial update. Marsalek reported on the revised budget proposed for FY 2022. The budget includes \$10,000 for the consultant supporting the sustainability fund. It also included \$9,100 that was approved for the Anniversary Micro Awards, however none has applied to date. Trustees requested that the budget include more details around fees in general including legal and professional fees.

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Grants Committee: Trustee Kurtz provided the update. The Committee met in September and reached a consensus for FACT to pause its grant program until we receive more information about VDSS's next steps for federal recovery funds that had been allocated to support TICN work. The committee also discussed the possibility of potentially refocusing our financial support to align more with the work taking place through the CAN Committee and/or aligning funding more with some of the topics examined in FACT's Issues Briefs. The Committee will meet again in the next few months to determine recommendations for FACT's funding moving into next fiscal year.

CAN Committee: Trustee Powell provided updates and a written report. As an overview, the committee looks at child welfare issues and makes recommendations for VDSS; the committee falls under FACT. The Committee is one of three citizen review panels of the VDSS child welfare child protection system required by federal statute. To that end, it identifies issues of concern and shares them with the department.

*Additional items discussed included:*

- The 2021 report from the committee outlined five issues.
- VDSS is implementing Families First, which focused on prevention methods to keep children out of foster care and in their homes, but the community is very concerned about the safety of children because of a lack of oversight of children and families especially when the Courts are not involved.
- The Director of the Children's Ombudsman Office is a new committee member; the Ombudsman Office is up and running investigating complaints regarding local VDSS departments' handling of child welfare cases- overall observation of the initial cases investigated is a concern regarding the handling of the practice of diversion and overall inconsistency of social work practice from one locality to another.
- The Committee also highlighted the need to create outcome metrics and evaluate programs outside of the annual federal reporting- data is needed on the local level.

Editorial and Planning Committee: Trustee Gilliam provided an update. The current issue brief will focus on gender-based trauma. The Committee met last week and appreciated Taylor's work, input and support on the brief. The Committee continues to flush out the structure and details of the issue brief and hopes to have it completed by early February. The next issue brief will be focused on the specific trauma surrounding LGBTQIA+ populations.

Staff Report: The full report of the Executive Director and Research Assistant was provided in the meeting packet. Highlights included:

- FACT is in conversation with the Department of Health which was awarded a \$10,000 federal grant; monies will go towards FACT to develop a state and local guidance document for how localities will respond to child-on-child sexual assault. We've identified a contractor (former prosecutor) who is on the CAC Board at the state level as well. We are having to revamp project plan, so the project will expand in partnership with TICNs to do promotion of this issue. The goal is to start the project in February and run through

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August.

- There is great work being done by Bristol Cares around trauma informed care. They match businesses with a care navigator who then matches individuals or businesses to whatever services they need. Through the program, businesses saw a 16% reduction in employee turnover.
- TICN grants are moving along, we will have some monies left over since there were no in-person trainings during the pandemic.
- The DJJ project came up with a name "Skyward Fund" to assist with marketing to help move this project forward.
- FACT will continue to have the Lunch and Learns once a month.
- Eric Reynolds was appointed as the Director of the Office of Ombudsman. He is now on the CAN committee; he has a four year term and can only be terminated for cause under the new administration.
- Nicole graduated from LEAD VA.
- Executive Director Poulin posed two motions:
  - First motion was for FACT to sign onto the Voices for Virginia's Children- Build Back Better Letter. Motion was approved by Trustee Powell, seconded by Trustee Marsalek.
  - Second motion was for FACT to submit a letter to the incoming Youngkin Administration recommending the establishment of a Children's Cabinet. FACT approved to submit a letter with the condition of the letter being to endorse permanence and staffing of the Children's Cabinet and also highlight the importance of FACT's involvement as a body member and at the table on issues related to child abuse and neglect. Motion was approved by Trustee Floyd, seconded by Trustee Marsalek.
- Taylor demonstrated data on how well FACT has been doing with social media and what our engagement looks like. We reached over 8,100 user on Facebook and more people are opening the newsletter. Overall, the anniversary went well and our engagement is going up.
- Taylor will review previous data files to see if they can provide data to be uploaded into PowerBI to recreate what was visualized initially through Tableau.
- Taylor is trying to make more graphic updates on the website and wants board members to send in photos to accompany their bios. Taylor also reminded board members to provide any bio updates and to continue to engage with FACT on social media platforms The more people like posts the less we have to pay for outreach.

Review and Discussion of Sustainability Report: The Board was provided with the final draft of the Sustainability Report prior to the meeting and hard copy was provided during the meeting.

After reviewing the draft of the Sustainability Plan, Trustees offered copy edits to the draft.

Suggested edits included:

- Change "Recommendations" heading to "Optional Recommendations and Considerations"

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- Under funding after General Assembly add "Session and beyond"
- Remove extra "4" for 2015 tax income amount

Next steps included:

- Write a letter to the Virginia Governor's transition team to support the establishment of the Children's Cabinet.
- Do not consider moving FACT under the OAG or the Department of Aging, the former is not the best fit and the latter is in process of being reorganized.
- Request a clearer wording of Title 63.2.2 since it is the Board's duty to advise VDSS; FACT needs to remain within the government, but not under an agency we are responsible to monitor such as VDSS.
- Incorporate a strategic planning meeting in our March or June meeting.
- The Chair and/or Staff will email a survey to determine if Trustees want to 1) create ad hoc committees to tackle the recommendations or 2) work on the Sustainability Plan as a group with the possibility of a consultant that will assist in identify a timeline with specific steps.

The Chair entertained a motion to approve the Sustainability Discussion Meeting minutes from October. Trustee Kurtz approved the motion and Trustee Floyd seconded.

Adjournment/Wrap up: Chairperson Lawrence concluded the meeting at 12:58 PM. Our next meeting is March 25<sup>th</sup>.

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Respectfully submitted,  
*Jennifer Gillyard*  
Jennifer Gillyard, FACT Secretary