

**DRAFT MINUTES, VA FAMILY AND CHILDREN'S TRUST FUND
(VA-FACT) Board of Trustees Meeting, March 30th, 2023
CA Human Services: 4108 E Parham Rd, Richmond, VA 23228
Hybrid Meeting**

Participation:

Trustees Present: Linda Wilkinson (Chair), Tyler Hart, Maureen Coffey, Linda Gilliam, Allison Lawrence, Season Roberts (Vice Chair), Tiffany Garner (Treasurer), Virginia (Ginny) Powell, Linda Gilliam, Tarina Keene, Beverly Crowder, Abigail Wescott, Cindy Han, Tavares Floyd,

Trustees Absent: Tiffany Garner (Treasurer)

Trustees Virtually Present: Cherie Short (joining from Alexandria), Dominique Marsalek (joining from Alexandria), Gena Boyle (VDSS Deputy Commissioner) (joining from Richmond)

Staff/Guests Present: Nicole Poulin (Executive Director), Taylor Hohle (Senior Research Associate – calling in) and Michelle L'Hommedieu (Office of Attorney General - FACT Counsel), Jamia (Mia) Crockett (Families Forward-), Eric Reynolds (Office of the Children's Ombudsman - OCO), Lisa Specter-Dunaway (FACT Contractor)

Opening: Chairperson Wilkinson called the meeting to order at 11:03 AM

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

Guest Presentations: Eric Reynolds & Mia Crockett provided an overview of their respective organization's services.

- Mia: Families Forward is a 501(c)(3) nonprofit organization in Virginia, dedicated to disrupting the cycles of child abuse, neglect and poverty. It supports home visiting programs, child abuse prevention programs, professional development, and public awareness activities. It serves as Virginia's chapter of Prevent Child Abuse, a statewide coalition initiative supported by the national chapter organization, Prevent Child Abuse America. One of its most recent programs is the Family Resource Center (FRC) pilot project, a locally overseen project focused on connecting families with local resources to support healthy and stable communities. FACT has assisted in the development of this project through resource sharing and technical assistance. Currently there are four communities in development of FRCs and another pilot group is coming. An additional three sites will be chosen in the second phase. There was some discussion around the FRC project so Trustees could better understand the program.
- Eric: The Office of the Children's Ombudsman (OCO) was established in the 2020 General Assembly session. Director Reynolds was appointed in June in 2021 by former Governor Northam. Currently the office has 4 full time staff and is hoping to fill a part time position soon. The Office of the Governor provides office space and Human Resources support but is not affiliated. This is similar to FACT's model within VDSS.
 - The OCO was created as a means of effecting changes in policy, procedure, and legislation; educating the public; investigating and reviewing actions of the Department, local departments, child-placing agencies, or child-caring institutions; and monitoring and ensuring compliance with relevant statutes, rules, and policies pertaining to child protective services and the placement, supervision, and treatment of, and improvement of delivery of care to children in foster care and

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adoptive homes.

- Investigate – Receive complaints from the public (parents, children, relatives, foster parents, school, judges, etc.), provide information, make referrals, open investigations, assist and collaborate with local DSS or VDSS to problem-solve
- Advocate – Identify systemic issues that can be resolved by policy change, participate in meetings with child welfare communities, groups, councils (such as FACT's Child Abuse and Neglect (CAN) Committee)
- Educate – help families and others to navigate the child welfare system, referrals to other agencies
- First annual report was released last year.
 - 2022 Complaint Data:
 - Received and reviewed 264 complaints between June 25th 2021-September 30th, 2022.
 - 171 (65%) moved beyond intake to a preliminary assessment
 - 35 (13%) became investigations
 - 87 out of 120 local departments were the subject of the complaints received.
 - Some trends: workforce challenges, foster care diversion/alternative living arrangements, foster care service planning issues (likely due to staffing), visitation.
 - In all alternative living arrangements reviewed by the OCO, parental substance abuse and addiction was a primary reason for the local department's involvement with the family.
 - Additional policy/practice considerations: foster parent relationships with Licensed Child Placing Agency (LCPA), family finding and relative engagement, trauma-informed practices, parental substance abuse and addiction.
- Q1 Complaint Data (10/01/2022-12/31/2022) –
 - 73 complaints
 - 89% moved beyond intake
 - 3 became investigation
 - 47 out of 120 departments involved.
 - No detailed Q2 data yet but have received 113 complaints and 5 have become investigations so far.
 - Issues on their radar: substance-exposed infants, foster youth not receiving social security benefits, foster parent vs relative custody cases, repetitive placement changes, Child Protective Services (CPS) screen-outs/referrals to prevention services.
- There were multiple questions around the relationship between FACT and the OCO which will be discussed in further detail at the Sustainability Planning meeting tomorrow.
- There was a question on the OCO's outlook on how racial disparities impact their work. Currently the OCO does not have capacity to provide analysis but it is something they consider with each investigation.

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- There was discussion around substance exposed infant deaths and how to prevent them. The lack of specific details for these types of cases leaves many questions around the circumstances and context in which these deaths occur.
- There was discussion around the potential for a Governor in the future to intervene with the Office and prevent this work. Directory Reynolds indicated that he has had good conversations and relationships with both the Northam and Youngkin administrations. There has been widespread, bi-partisan support of this Office in both its creation and operations.

Chair's Report

- Minutes: Trustees reviewed the minutes from the December 2022 Board meeting. Clerical edits were made for clarification. A motion for the adoption of the edited minutes was made by Trustee Floyd and Trustee Gilliam seconded.
- Abigail Wescott has volunteered to serve as the Secretary. Trustee Floyd made a motion to accept recommendation for Abigail Wescott as Board Secretary and to close the floor for additional nominations. Trustee Lawrence seconded.
- Appoint nominating committee – three members elected by the Board, one of whom will be appointed chair. Nominations will occur at the June meeting. A motion was made by Trustee Lawrence to appoint a nominating committee consisting of Trustee Floyd, Trustee Wescott, and Chairperson Wilkinson. The motion was seconded by Trustee Hart.

Editorial & Planning (E&P) Committee Report: Trustee Gilliam provided the update.

- The E&P Committee met on March 15th to discuss a new issue brief series.
- Trustee Gilliam presented the committee recommendations to the Board of Trustees that the committee work on a new issue brief series focused on special populations including: disabled population, incarcerated survivors of family violence, child trafficking, caretaker abuse within nursing homes/assisted living facilities, and the immigrant population.
- Trustee Floyd made a motion that the Board accept the committee's recommendations to work on the new issue brief series.

Child Abuse & Neglect (CAN) Committee Report: Trustee Powell provided the committee update.

- Changes to the CAN charge will be brought forth at the next Board meeting once the committee has further time to discuss.
- Child Abuse Prevention and Treatment Act (CAPTA) Letter for 2023 (Deadline: May 13th)
 - These are the six areas that the committee agreed to during the last meeting (3/1/23):
 - Recruitment, compensation, and retention of child welfare professionals, including the state hotline.
 - The Office of State Inspector General made recommendations for the budget to include 13 new hotline positions, 5 new practice consultants at the state level, and a large number of positions at the local level. This was kept in at both the Senate and House budgets.
 - Continued review and discussion of in-home services and Family First implementation.

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- This is in-line with the work that the OCO is working on that was discussed earlier.
- There was discussion around financial support for families who helping these children stay out of foster care. Currently they are receiving payment, but it is lower than a system-based foster parent.
- Continue the dialog between the FACT Board/CAN Committee and regional child death review teams.
 - There was discussion around collaboration with the Opioid Abatement Authority – which is a recently developed group that is tasked with addressing the opioid crisis. Chairperson Wilkinson will send out information to Trustees about the group, their priorities, and funding sources.
 - There was discussion around how to include mental health (across the lifespan, parents and children) within the mission and programing of FACT.
- Continued discussion of child protection system in relevant cases of problematic sexual behavior among children.
 - The committee has released a [guidance document](#) focused on problematic sexual behavior in children 12 and under. There is potential for this project to expand in the future for older children or pilot training programs.
- Continued discussion and review of trafficking cases involving children, particularly from a child protection/welfare/well-being perspective.
- Discussion of Safe Haven Laws in Virginia: how they are implemented, challenges posed, and implications for child welfare.
 - Safe Haven laws allow parents to drop off an infant up to 30 days old at a safe location (hospital, fire stations, etc.) without any liability. The Board would like clarification on these locations and if there are Safe Haven boxes at these locations across Virginia.
 - In the [2022 General Assembly session, a bill](#) was passed that the Department of Social Services establish a 24/7 hotline to provide information about the Commonwealth's safe haven laws and increase public awareness of the laws.
- The letter will feature three cross-cutting themes:
 - continue providing data already collected
 - provide deeper dive with data that looks at outcomes, impacts, implications of policy and practice, child safety and well-being,
 - find ways to learn about what's happening in local communities in terms of the issues described above.
- There was discussion around the limited scope of the letter recommendations due to change occurring slowly and the limitations of the CAN committee to receive updates on these topics.

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- There was a motion from Trustee Floyd to accept the CAPTA letter topics based on the CAN Committee recommendations.
- The committee recommends sending a letter to Governor Youngkin advocating to include a Child Tax Credit in the budget to reduce child abuse and neglect.
 - Tax credits that were provided in 2020, originally under the Trump administration and then under the Biden administration, have been shown to have a positive impact on poverty rates. States have shown interest in establishing these tax credits at the state level for families. SB 1324 would have done this for Virginia but the legislation turned into a research study. Another study has been approved by the Joint Legislative Audit and Review (JLARC) to look at childcare costs for families.
 - Trustee Coffey provided additional background information around federal level child tax credits and how they have changed since the pandemic. Federal tax credits were expanded during the pandemic, but the expansion has expired. Some states are looking to fill in the gaps.
 - There was discussion about the budget process and the likelihood of a Child Tax Credit being approved for this budget cycle. A new 2-year budget will be developed this fall.
 - A motion was made by Trustee Coffey that the Child Abuse and Neglect Committee send a letter to Governor Youngkin and the leaders of both chambers of the General Assembly indicating that the committee supports a state-level child tax credit or tax refunds for children and encourage him to include funds for this credit in the upcoming biennial budget. Trustee Hart seconded.
- There was another recommendation from the committee addressing the legal definition of child abuse and neglect. SB 1367 updated the language to include exemptions for children who participate in independent activities appropriate for their age, ability, and maturity (such as traveling to and from school, playing outdoors, etc.). The CAN Committee had voted on March 1st to recommend to the Board of Trustees to submit a letter to Governor Youngkin addressing their concerns about SB 1367. Between the CAN Committee and today, Governor Youngkin has already signed the legislation. The committee has withdrawn the recommendation to send the letter to Governor Youngkin but members will continue to monitor the legislation and review any data collected.
 - There was discussion around the time difference between the CAN Committee meeting and the Board meeting to prevent the delay of recommendations. Previously the meetings have been closer together, but the Board of Trustees meeting was pushed back due to scheduling difficulties.
 - FACT Counsel L'Hommedieu provided background information about the nuances of the CAN Committee serving as a Citizen Review Panel (CRP). Serving as a CRP provides the committee with some of their own autonomy, even though they exist underneath the FACT Board of Trustees. This will be further discussed at the upcoming Sustainability Planning meeting and Executive Director Poulin will re-send out the previous Freedom of Information Act (FOIA) information reviewed last meeting.

Grants Committee Report: Trustee Keene provided the update.

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- FACT has received three Ad Hoc proposals from the Virginia Sexual and Domestic Violence Action Alliance, Early Impact Virginia, and Virginia Coalition for the Prevention of Elder Abuse for conference funding. All requests are for \$3000 and they have all been supported in the past.
 - A motion was made by Trustee Floyd and seconded by Trustee Wescott to approve all three Ad Hoc Proposal for \$3,000 each for the Virginia Sexual and Domestic Violence Action Alliance, Early Impact Virginia, and VA Coalition for the Prevention of Elder Abuse.
 - Trustees who are interested in attending these conferences should reach out to Executive Director Poulin.
- Trustee Floyd requested that we have discussion at the June Board meeting regarding increasing the limit for Ad Hoc proposals.
- The Grants Committee is looking for additional members. A sign-up sheet was passed around the physical meeting location. The committee will be meeting between now and the June Board meeting to discuss grant priorities for the upcoming fiscal year and budget.
- Trustee Floyd requested the last 5-10 years of funding priorities to be made available to the Board for review.

Treasurer's Report: Executive Director Poulin provided the update for Trustee Garner.

- FACT has received over \$35,000 in funds from the Gaming Proceeds Fund. There are currently four casinos operating and more potentially in development. This funding is difficult to predict but has been ahead of original projections.

VDSS Report: VDSS Deputy Commissioner Gena Boyle provided the update.

- 2023 General Assembly VDSS Report Out
 - HB 1550 – creates additional appeal process for teachers when they have been accused of child abuse and neglect. After exhausting all options for review by the local department and Commissioner of Social Services, they can petition the circuit court for a de novo review.
 - HB 1744 – home studies conducted by LDSS or child placing agencies for the purpose of placing a child in a foster home/with an adoptive family are now transferable between all localities at the request of the prospective foster parent. Requires home studies to be conducted in accordance with mutual family assessment home study template
 - HB 1768 – requires that if a local multidisciplinary team has determined that an interview of the child by a child advocacy center (CAC) is needed and the CAC is not available (within 14 days) they may use another CAC located in a different jurisdiction.
 - HB 2290 / SB 1314 – In the event that the initial petition for the establishment of parentage is commenced within six months of the live birth, expenses for the pregnancy and delivery, as well as reasonable expenses incurred by either parent prior to the birth, can be included in child support determination.
 - HB 2380 – DSS will provide information to food banks about how to complete SNAP application

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- SB 1367 – “child autonomy bill” discussed previously in the CAN Committee report above.
- SB 1443 – Directs the OCO to assemble a workgroup to explore and make recommendations for establishment of a Parent Advocacy Commission. This commission would provide training and oversight for court-appointed counsel who represent parents in child dependency cases. The workgroup will review and analyze possible models for the Parent’s Advisory Commission’s standards of practice and certification procedures. They will then make recommendations for the development of local or regional offices for the Parents Advocacy Commission.
- HB 2025 – Requires DSS to develop (and annually update) and provide an information sheet on SNAP benefits to each school board. This is based on Medicaid “backpack” model and requires that each school board ensure that the information sheet is sent home at the beginning of each school year.
- While the budget has not been approved yet, Trustee Boyle provided an update on what the budget may include and its connection to FACT. Some highlights are below:
 - Expansion of kinship navigator programs
 - Replacement of current DSS technology systems that are not meeting security standards
 - Support for Medicaid redeterminations beginning April 1st
 - Addressing workforce challenges through initiatives such as salary increase for state and local employees and additional staffing
 - Address state inspector general CPS System recommendations
 - Reduction in general fund allocation to foster care/adoption (Family First -IV-E funding covers adoptions and Medicaid covers majority of these service)
- Budget additions that have been included in various versions from the House and Senate.
 - Both House & Senate Budget Additions
 - Increased money for auxiliary grant rate (helps with affordability for assisted living facilities) – this funding is substantially higher in the Senate than the House
 - Increase Personal Needs allowance for auxiliary grant
 - Additional funding for Child Advocacy Centers
 - Driver’s License Program for Foster Care Youth
 - Virginia Community Action Virginia Cash Campaign
 - Lighthouse Community Center – provides housing assistance or other eligible services to those transitioning out of the criminal justice system and domestic violence environments.
 - Eastern Shore Community Action Agency roof replacement
 - Additional 2% (for a total of 7%) salary increase for state and state supported local employees for FY24
 - Included in House Budget but not in Senate
 - Redirects \$4.1M in child welfare funding in FY 24 to support child welfare workforce.
 - Trauma-informed training for LDSS and state staff

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- Public-private partnerships to support child welfare prevention initiatives
- Continued effort to improve capacity to serve children in foster care at risk of displacement
- Peer support line for LDSS and state staff
- Additional infrastructure and procurement positions to support the implementation of effort to build child welfare.
- Enhanced technology to support child welfare staff in the field
- Increase and enhance support for kinship caregivers
- \$200k/each for Buchanan Co and Tazewell Co. Admin costs for flood disaster relief
- \$110,537 for LDSS representation for appeals
- Senate but not House of Delegates
 - Increase TANF Standards of Assistance by 10%
 - Jay T. Swett Learning Center and Transitional Housing
 - Afterschool care for foster care youth
 - Fund Rent Increase for Hampton DSS
 - State-funded Kinship Guardianship Assistance Program
 - Expand Title-IV E Stipend Program (\$200k) – provides stipend for future staff who are currently in graduate school
 - Youth for Tomorrow – provide residential, education, and counseling services to at-risk youth who have been sexually exploited, including trafficking.
 - Ecumenical Community Helping Others - funds to assist with food, housing, child care, and training for low-income families
 - Lorton Community Action – funds to assist with food, housing, child care, and training for low-income families during the COVID-19 pandemic
 - Community Employment and Training Programs
 - Clarification on funding for Refugee Resettlement Programs
 - Extend application period for Low Income Home Energy Assistance Program (LIHEAP)
 - Update Assisted Living Facility Regulations for Licensed Administrators
- Through American Rescue Plan Act (ARPA) funds, VDSS received one million dollars to go to Trauma-Informed Community Networks (TICNs). Two RFPs have been released, one for a statewide trauma awareness campaign and another for TICNs who are looking to increase trauma informed practices focused on workforce development. Greater Richmond Stop Child Abuse Now (SCAN), which runs the statewide TICN Network, was selected to lead the awareness campaign. The additional contracts have been selected but have not yet been announced.
- Office of Family Violence – grants were recently awarded for sexual and domestic violence prevention programs. Approximately 30 organizations were selected through the RFP

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process.

- There was discussion about how the FACT Board can become better informed about the current bills that impact their work and the expectations of staff to provide these updates.

Staff Updates:

- Office of Child and Family Services wanted to thank the FACT Board for their continued support for the statewide hotline.
 - The average wait time has decreased to five minutes. In 2021, the average was 17 minutes.
- Problematic Sexual Behavior Project – The guidance document has been released. There is a recording of the presentation, that contractor Nancy Oglesby did earlier this month, on the website. Now that the document is released, there is potential for a second phase which could be a train-the-trainer model and a few pilot communities.
- Executive Director Poulin is in conversations with staff from Virginia Department of Health to potentially support expansion of the Leadership for Empowerment & Abuse Prevention (LEAP) Sexual Assault Prevention Program created through the Partnership for People with Disabilities.
- There was discussion about a previous FACT project working with VCU's Department of Gerontology to develop a trauma-informed curriculum for nursing home staff. They are looking to start a second phase that includes more evaluation.
- There was discussion around the requirements for Trustees to serve on the Board. There are some required conflict of interest trainings with varying deadlines that Trustees should be on the lookout for in their emails to stay up-to-date.

Adjournment/Wrap up: Chairperson Wilkinson concluded the meeting at 4:09 PM. The group will reconvene tomorrow for the Sustainability Planning meeting at 9:30am.

Respectfully submitted,

Taylor Hohle

Taylor Hohle, Senior Research
Associate