



BOARD MINUTES
BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

SUPERVISORS STEVE BENNETT, LINDA PARKS,
KATHY I. LONG, PETER C. FOY AND JOHN ZARAGOZA
August 11, 2015 at 8:30 a.m.

COUNTY EXECUTIVE OFFICE – Approval of Responses to 2014-2015 Ventura County Grand Jury Reports: "County Project Management - A Case Study", "Foster Care and Adoption Process in Ventura County" and "Ventura County Hiring Processes" for Submittal to the Presiding Judge of the Superior Court in Accordance with State Statute; and Receive and File the Response from the Auditor-Controller to the Grand Jury Report "County Project Management - A Case Study".

- (X) All Board members are present.
- (X) The following person is heard: Matt Carroll.
- (X) The following document is submitted to the Board for consideration:
(X) Document: Revised Exhibit 1.
- (X) Upon motion of Supervisor Foy, seconded by Supervisor Bennett, and duly carried, the Board hereby approves staff recommendations as stated in the Board letter.

I hereby certify that the annexed instrument is a true and correct copy of the document which is on file in this office.

Dated: **8-14-15** MICHAEL POWERS
Clerk of the Board of Supervisors
County of Ventura, State of California

By: *M. P. Appiciano*
Deputy Clerk of the Board

By: *Brian Palmer*
Brian Palmer
Chief Deputy Clerk of the Board



Response to Grand Jury Report Form

Report Title: Foster Care and Adoption Process in Ventura County

Report Date: June 5, 2015

Response Prepared by: Barry Zimmerman Director Human Resources Agency
Leroy Smith County Counsel

FACTS

- We are providing clarification regarding the Facts numbered: FA-02, FA-03, FA-13, and FA-21
See Attachment

FINDINGS

- We agree with the Findings numbered: F1 and F4
See Attachment
- We disagree partially with the Findings numbered: F2, F3, and F5
See Attachment

RECOMMENDATIONS

- Recommendations numbered R1 has been implemented.
See Attachment
- Recommendation R2 has been partially implemented.
See Attachment
- The Recommendation numbered R3 will not be implemented because it is not warranted.
See Attachment

Date: 8-11-15

Signed: _____

Kathy J. Long
Kathy Long, Chair Board of Supervisors

Number of pages attached: 7

ATTEST: MICHAEL POWERS
Clerk of the Board of Supervisors
County of Ventura, State of California

By: _____

M. Pellicano
Deputy Clerk of the Board



EXHIBIT 2

FY 2014-2015 GRAND JURY FINAL REPORT

RESPONSES TO FINDINGS (FI) AND RECOMMENDATIONS (R)

| Report Number (& Date) | Report Title | Respondents (With FI and R #) |
|---------------------------|--------------|----------------------------------|
|---------------------------|--------------|----------------------------------|

REPORT NO. 02 June 5, 2015

Title: **Foster Care and Adoption Process in Ventura County**

Required
Respondent:
(for approval)

Board of Supervisors

(FI-01, FI-03, FI-04 and FI-05 plus R-02 and R-03)

NOTE: Also includes responses to FA-02, FA-03, FA-13 and FA-21.

Requested
Respondents:

Human Services Agency

(FI-01, FI-02, FI-03, FI-04 plus R-01 and R-02)

County Counsel

(FI-05 and R-03)

NOTE: Requested departmental responses are incorporated within Board of Supervisors' response.

FACTS

FA-02: During the period January through December 2014, there were 202 children in County foster care.

Clarification: The attachment referenced in the report provides point in time placement data for January 1, 2014, not the period of January through December 2014. Furthermore, the statement that there were 202 children in County foster care reflects only those children in County-licensed foster care homes and excludes other types of placements. More recent data for January 1, 2015, indicate that there were 939 children/youth ages 0-20 in foster care, 180 of whom were in County-licensed foster care homes.

FA-03: Children are placed in foster care homes through HSA as well as private and religious organizations.

Clarification: Court dependent children are placed in foster homes only through HSA. Foster homes may be approved through the County or a Foster Family Agency. Some Foster Family Agencies have a religious affiliation.

FA-13: The Court allows foster children age nine and above (age established by County Counsel) input into adoption placement. The child often prefers a biological relative or a home with a similar cultural background.

Clarification: In practice, children typically verbalize their wishes at age nine and taking into account the maturity level of the child and their overall functioning, these wishes are considered on a case by case basis.

FA-21: The role of the Court Appointed Special Advocate (CASA) is to advocate for the foster child and communicate with the assigned County social worker. The CASA does not have the privilege of access to the County foster care case records. The focus is placed on the child's needs – not family dynamics or problem solving.

Clarification: Welfare & Institutions Code §§103-107 outline the broad access the Court may grant to the case records and documents of foster youth. When a CASA is appointed to support the role of investigative officer, the CASA may have access to case files of the foster youth.

FINDINGS

FI-01: Foster care organizations each follow different practices. Therefore, foster parents receive different information and training dependent upon the authorizing entity. Due to the foster parents' expectations and the reality of the HSA process, some foster parents become confused and disillusioned with foster care and adoption.

Agree: The minimum requirements for becoming a foster parent are the same for foster parents whether they are approved through the County or through a Foster Family Agencies (FFA). The information is communicated in diverse formats by each entity and therefore may be perceived as different.

However, FFAs include plans for a home study at the beginning of the process while HSA does not initiate the home study until the child has been matched with an adoptive home.

For County foster home licensure, the steps to becoming a licensed foster parent and adoption are incorporated into the Foster VC Kids informational sessions held on a monthly basis for individuals interested in becoming foster parents. This information is also available on the Foster VC Kids website.

FI-02: When foster parents decide to adopt a child in their care, they don't always know the processes involved, e.g., a home study, which can take six to eight months to complete.

Partially Disagree: Foster parents may decide that they are interested in adopting a child, but they do not independently decide on the plan for permanency of a child. This responsibility lies with HSA.

HSA's new resource family approval process (to be fully implemented by January 2017) will replace the existing processes for licensing foster family homes, approving relatives and non-relative extended family members as foster care providers or legal guardians, and approving adoptive families.

The new process will combine elements of all these processes into a single approval standard that includes a home study at the time of approval.

FI-03: Due to inadequate information on the adoption process, foster parents often have an expectation of being given priority when wanting to adopt the child in their care.

**Partially
Disagree:**

Foster parents are generally given priority to adopt a child in their care when the child is in need of an adoptive home.

HSA supports the stability of children in the child welfare system. To this end, HSA makes every effort to maintain a child in their placement until and unless that child can return home. Well before the permanency phase of the case, in accordance with state and federal concurrent planning standards, the current foster family is approached about their willingness to become an adoptive home, if the need arises. (CA Welfare & Institutions Code (WIC) §366.26(k)).

There are instances in which a family member may be considered for placement with the plan of adoption, if appropriate at the permanency planning stage of the case; however, the current foster family generally has priority if an adoptive home is needed for the child in their care.

The Foster VC Kids website provides in-depth information about the foster and adoption process through the County and FFA partners. For more information see www.fostervckids.org/adoption/.

Additionally, HSA meets bimonthly with the Recruitment & Retention Community Partnership Committee to develop and support information sharing and caregiver recruitment with our five local FFAs and faith-based and secular community partners. This helps ensure consistency in information sharing and the development of shared recruitment and retention strategies.

FI-04: Inadequate communications among the foster parents, HSA, the Court, and private and religious organizations can result in foster parents sometimes not knowing the child's status, nor their own, in the adoption process.

Agree: The Quality Parenting Initiative, which is currently being implemented, encourages foster parents to be present during court hearings, so that they will have a more complete understanding of the proceedings and will be able to better explain to the child what has transpired in court. This new practice is expected to increase foster parents' understanding of the court process and assist with their caregiving capacities for the children in their care.

FI-05: Many nine-year-old children are not at the appropriate maturity level and therefore may not know what's best for their welfare. A child's input into adoption placement may be misleading.

**Partially
Disagree:**

We cannot be certain what is meant by the words "many" and "misleading." We agree that some nine-year-old children may not be mature enough to know what's best for them in terms of adoption placement, and that a child's input into adoption placement may not reflect what is actually in the best interest of the child.

RECOMMENDATIONS

R-01: The Grand Jury recommends that the Human Services Agency work more closely with all foster care parents by providing training on how to adopt a child, including the processes necessary for adoption and the actions needed to complete a home study.

Implemented:

Foster parents are expected to foster children during the reunification phase of their case. They may express an interest in adoption; however, reunification is the primary focus at the beginning of a case. A secondary permanency social worker is assigned to the case at the six-month mark, and this worker explains the adoption process on a case-by-case basis. With this approach, foster parent expectations of adoption are managed according to the case plan.

In early 2015, HSA developed a new campaign called Foster VC Kids. Although this program was not presented to the Grand Jury during its research and investigation phase, the Foster VC Kids campaign was active in 2015 in designing and rolling out additional information sharing systems, resources and outreach to recruit and retain more high quality foster families. Activities included the development of more public education across Ventura County and access to new bilingual, web-based information about foster parenting and adoption. The Foster VC Kids website offers in-depth information about the foster and adoption process through the County and FFA partners. For more information, see www.fostervckids.org/adoption/.

In addition, HSA offers monthly in-person and online recruitment informational meetings in locations throughout the county. These sessions cover the steps it takes to become a foster or adoptive parenting household and outline the support services that are offered.

New foster families are also matched with an experienced Peer Partner Educator, a foster parent mentor who is able to guide and educate them on the practical matters of fostering. Current foster families may access online service portals that offer an array of resources and continued education opportunities. For more information, see www.fostervckids.org/training/.

R-02: The Grand Jury recommends that the County of Ventura Board of Supervisors direct the HSA to work more closely with all other organizations involved in foster care and adoption to ensure there is communication and input from all parties concerned with the foster child. Foster Parents' input should be included in the Court proceedings; either by having them present or having HSA represent their interests.

Partially Implemented:

There are two components of this recommendation: 1) for HSA to work and communicate more closely with all other organizations involved in foster care and adoptions; and 2) for HSA to have present or represent Foster Parent in court proceedings.

The first component has been implemented. HSA meets bimonthly with the Recruitment & Retention Community Partnership Committee to develop and support information sharing and caregiver recruitment with our five local FFAs and faith-based and secular community partners. This helps ensure consistency in information sharing and the development of shared recruitment and retention strategies.

In 2014, Ventura County adopted the Quality Parenting Initiative (QPI). QPI comes out of the University of Delaware and is supported by the Casey Family Foundation as well as other leaders in child welfare. At the core of QPI is the concept that foster parents, birth parents and the county should act in partnership for the best interest of the child. HSA strives to treat foster parents as valued partners, and foster parents strive to assist with the care and nurture of the children in their home by providing positive transitions, partnership with the birth family when appropriate, and more.

One of the main areas addressed by QPI is foster parent participation in court. Not only are foster parents encouraged to attend and participate in court hearings but social workers are asked to support foster parent participation in court. HSA has trained social workers and attorneys in this regard and has met with the juvenile court bench officers, the Honorable Bruce Young and the Honorable Tari Cody, regarding QPI and foster parents' rights to receive notices and be present in court.

HSA supports and in some cases, facilitates networking groups for foster parents in several areas across the county. Each of these groups has regular trainings that include the topic of court participation. Foster parents are encouraged to attend court and speak with the child's attorney and/or to complete a JV-290 form giving the court information about the child.

During the pre-service licensing training, foster parents are trained on their role in court and their ability to complete the JV-290 to give information to the court. There is a link in their training binders to this form, as well (Strength-Based Foster Parenting: Trauma-Informed

Introductory Training Handbook and Resource Guide, Section 2, page 12). Beginning July 1, 2015, HSA will implement a new pre-service training that will be even more thorough with regard to foster parents' role in court.

The second component of R-02 will not be implemented because it is not HSA's authority. While HSA may encourage foster parents to attend and participate in court hearings, the Legislature and the Court formally controls the access of foster parents to the legal proceedings. The Legislature has provided for input by foster parents in some circumstances. Foster parents may petition for "de facto" parent status before the court at the jurisdiction and disposition hearing and at any time thereafter (Cal. Rules of Court, rule 5.534(e)). Several judicial council forms are available to explain and facilitate the process for obtaining de facto parent status (see Judicial Council Forms JV-290, 290-INFO, 295, 296 and 299). The Court may allow de facto parents to represent themselves in court proceedings or appear by counsel; however, neither HSA nor County Counsel could ethically represent de facto parents in the dependency proceeding because they are duty bound to advocate for the best interests of the child, not the interests of other parties.

R-03: The Grand Jury recommends that the Board of Supervisors direct County Counsel to review the current age at which foster children are allowed input into the adoption process, raising it from age 9 to age 12.

Will Not Be Implemented:

The recommendation will not be implemented because it is not within the authority of County Counsel to do so and the recommendation is based on a faulty premise. Contrary to implications of FA-13 and R-03, County Counsel does not determine the age at which children can have input into adoption placement. That policy is determined by the Legislature and the Court. Welfare and Institutions Code, section 317, subdivision (e) provides that the child's counsel (not County Counsel) shall, if the child is four years of age or older, interview the child to determine the child's wishes and advise the court of the child's wishes. Welfare and Institutions Code section 366.3, subdivision (e)(2) provides that in connection with six-month placement hearings, the social worker must ask every child who is ten years of age or older and who has been in out-of-home placement for six months or longer to identify individuals other than the child's siblings who are important to the child. Welfare and Institutions Code section 366.21, subdivision (i) provides that for hearings regarding termination of parental rights and permanent placement, the agency shall prepare an assessment for the Court which includes a statement from the child concerning placement and the adoption or guardianship, and whether a child over twelve years of age, has been consulted about a proposed relative guardianship, unless the child's age or physical, emotional, or other condition precludes his or her meaningful response. County Counsel has no authority to change these, or other relevant statutory provisions; and County Counsel has no authority to interfere with a social

worker's assessment whether a child of any age is able to provide a meaningful response concerning proposed adoption or guardianship. Ultimately, the weight given to any child's input on proposed adoption or guardianship is up to the Court and must be evaluated on a case-by-case basis.