



Nebraska Children's Commission
1225 L Street, Suite 401
Lincoln, NE 68508

August 27, 2020

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

Dear Mr. O'Donnell,

Neb. Rev. Stat. [§43-4218\(4\)](#) requires the Strengthening Families Act Committee of the Nebraska Children's Commission (Commission) to provide a report to the Health and Human Services Committee of the Legislature, the Nebraska Department of Health and Human Services, and the Governor by September 1st each year, regarding initial and ongoing implementation of the federal Preventing Sex Trafficking and Strengthening Families Act and related efforts to improve normalcy for children in foster care and related populations. The Commission reviewed and approved the attached report at their August 18, 2020 meeting.

Respectfully,

A handwritten signature in cursive script that reads "Jeanne K. Brandner".

Jeanne K. Brandner, Chair
Nebraska Children's Commission

A handwritten signature in cursive script that reads "Jessica Rockemann".

Jessica Rockemann, Co-Chair
Strengthening Families Act Committee

A handwritten signature in cursive script that reads "Vernon J. Davis".

Vernon Davis, Co-Chair
Strengthening Families Act Committee

Enclosure:
SFA Committee 2020 Report (Final-Legislature)

8/27/2020



Nebraska Strengthening Families Act Committee 2019- 2020 Annual Report

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

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

Background

The Nebraska Strengthening Families Act (NSFA) Committee was created as the Normalcy Task Force under the umbrella of the Nebraska Children’s Commission (Commission) to monitor and make recommendations related to Nebraska’s implementation of the Federal Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183 (referred to in this document as the “Strengthening Families Act” or “SFA”). Nebraska’s Strengthening Families Act, [§43-4702](#), implements the federal SFA and initial stakeholder recommendations. Both the federal and state SFA represent a culture shift to allow children and youth to grow and thrive in less restrictive, more family-like environments and participate in age and developmentally appropriate activities. Additional legislation related to best practices in implementation was passed as [LB225 \(2017\)](#).

STATUTORY CHARGE

The Nebraska Strengthening Families Act Committee shall monitor and make recommendations regarding the implementation in Nebraska of the federal Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183, as such act existed on January 1, 2017, and the Nebraska Strengthening Families Act, [Neb. Rev. Stat. §43-4701 to §43-4715].

PRIORITIES

1. Continue to monitor the implementation of the federal Strengthening Families Act.
2. Promote normalcy as the foundation to: prevent trafficking; address disparate impacts on minorities; and support the successful transition to adulthood.
3. Coordinate implementation with other policy making bodies.

The Committee has met quarterly for the last year to accomplish its statutory mandates. The Committee created three Subcommittees to fulfill the detailed work of prioritized initiatives. These include: 1) the Trafficking Subcommittee, 2) the Another Planned Permanent Living Arrangement (APPLA) Subcommittee, and 3) Normalcy Subcommittee.

The Committee periodically creates and archives Subcommittees depending on their fulfillment of assignments from the Committee. Archived NSFA Subcommittees include: Community & Family Voice, Grievance Procedure, Training and Court Implementation. These groups may be called upon, reviewed and/or revived depending on need of the Committee and emerging issues.

For more information or to get involved, please visit our [website](#), or email necc.contact@nebraska.gov.

PRIORITIZED INITIATIVES

Summary of Activities 2019-2020

During FY2020, the NSFA Committee, with the help of three branch participation, and community representatives, made great progress continuing to advance culture changes within the child welfare and juvenile justice systems to ensure normalcy for youth in out of home placement, identifying victims of child sex and labor trafficking, and ensuring supports are in place for a successful transition to adulthood.

Much of the focus of the last year's work was on continuing the work for the Commission and its Subcommittees after the sunset date was removed by [LB600](#) in 2019. The need for the NSFA Committee to remain as a statutory body has been reviewed. Great progress has been made by the Committee, and further work remains.

The Normalcy Subcommittee reviewed Normalcy Plans and Reports submitted by child-caring agencies (pursuant to [§43-4706](#)) and plans to implement qualitative youth surveys during FY2021.

The APPLA Subcommittee reviewed the Foster Care Review Office 2019 Annual Report and will be working to identify specific areas of need within the Independent Living Assessment process.

The Trafficking Subcommittee reactivated in May 2020 and is taking a closer look at collaborating with other trafficking taskforces to serve as a forum for youth related trafficking services, data and resources.

RECOMMENDATIONS

1. Normalcy should extend to youth in care in all systems as appropriate and considering parental preference. The Committee recommends the statutory requirement for Normalcy Plans and Reports pursuant to §43-4706 be amended to include facilities which provide treatment services as a component of the placement, including treatment group homes and psychiatric residential treatment facilities.
2. Stakeholders should make every effort to make decisions that enhance and maximize normalcy and avoid placements and circumstances that are inherently not normal.
3. Children, youth and foster caregivers should be given the opportunity to be present at every court hearing. When this is not possible, court information forms should be available in every jurisdiction and provided to youth and their foster caregivers.
4. The court forms must have a party responsible for ensuring youth and foster caregivers receive forms and have a user-friendly way to return those forms to the Court prior to the hearing.

LEGISLATIVE ACTIVITY

Summary of legislative activity related to work of the Strengthening Families Act Committee

LB219: During the 106th Legislature, 2nd Session, LB219 was introduced, which changes requirements for foster care transition proposals and provides immunity from liability for caregivers. LB219 ensures youth in foster care have access to the documentation and preparation needed to obtain a driver's license in the state of Nebraska. Access to legal documents and transportation options are important components of normalcy for youth as they transition into adulthood. The Strengthening Families Act Committee supported advancement of the bill but it did not advance past select file.

LB519: During the 106th Legislature, 1st Session, LB519 was passed which requires DHHS to investigate all allegations of alleged child sex and labor trafficking regardless of the perpetrator. This important legislation will improve our state's coordinated response and intervention to child sex and labor trafficking.

LB941: During the 106th Legislature, 2nd Session, LB941 introduced a Youth in Care Bill of Rights for youth in the child welfare and juvenile justice systems. Senator Hunt's office worked to gather youth input for the bill. The bill did not advance. The Strengthening Families Act Committee and Nebraska Children's Commission support enacting a Youth in Care Bill of Rights in Nebraska.

SUBCOMMITTEES

Another Planned Permanent Living Arrangement (APPLA)

Crystal Aldmeyer, Chair

The Subcommittee focuses its efforts on the provisions of the State and Federal Strengthening Families Acts related to Another Planned Permanent Living Arrangement (APPLA). This permanency goal means youth will be self-sufficient, including caring for themselves independently and providing for themselves financially, through either employment, supportive services or public financial assistance, and that reunification, adoption, and legal guardianship were attempted, but unsuccessful or not in the youth's best interest. Without a permanent family, these youth need extra support to attain their goals, achieve emotional permanency, and transition to adulthood.

Normalcy for youth transitioning out of the child welfare system includes creating a supportive network to help youth face life's challenges and develop a baseline of independent living skills.

Activities: The APPLA Subcommittee reviewed the [FCRO 2019 Annual Report](#), which identified concerns with Independent Living Assessment "ILA". The ILA is completed for youth ages 14-18. It was completed for 38.2% of youth during the fiscal year reviewed. During the next report year, the Subcommittee plans to further examine this data in partnership with FCRO and other stakeholders in order to develop recommendations for improving this area for youth.

The Subcommittee is also researching the [Youth Thrive Survey](#) in order to determine if it could be an effective tool for assessing independent living skills. The Ansel Casey Assessment is currently used as an Independent Living Assessment tool for youth ages 14-18 in Nebraska. During the next report year, the Subcommittee plans to develop further recommendations for the Independent Living Assessment process.

Many Subcommittee members gave input and helped facilitate youth voice in the development of a Youth in Care Bill of Rights, which was introduced during the 106th Legislature, 2nd session as [LB941](#). This bill was an important step in advocating for youth rights in Nebraska.

Trafficking Subcommittee

Sarah Forrest, Chair

Core Values for Responding to Minor Victims of Third-Party/Non-Caregiver Trafficking:

- Minors who are missing and repeatedly missing from care are at-risk of being trafficked.
- Any minor who is a trafficking victim is a victim of child abuse, and should be treated as such.
- Minors who are trafficking victims should not be criminalized or penalized for behaviors, sexual or otherwise, related to their exploitation and should not be forced into the juvenile or criminal justice system.
- Minors who are trafficking victims and their families should have access to the services and supports they need.
- Our communities and all of our state and local agencies who serve children have a role to play in identifying and responding to minors who are victims of trafficking. If we are to successfully respond to trafficking, all of these agencies must devote time and resources to this challenge and work together.

Purpose: **1)** Monitor and make recommendations to ensure that the implementation of the Federal and State Strengthening Families Acts support the prevention of trafficking. **2)** Minimize victimization for system involved youth by creating and supporting collaborative approaches to trafficking.

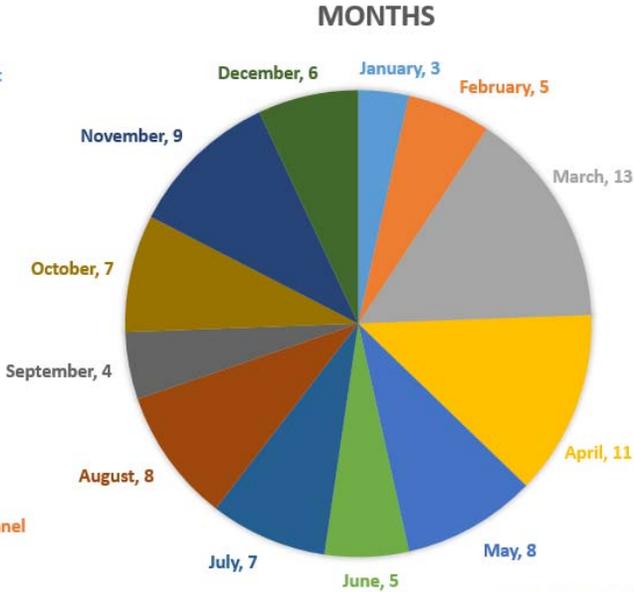
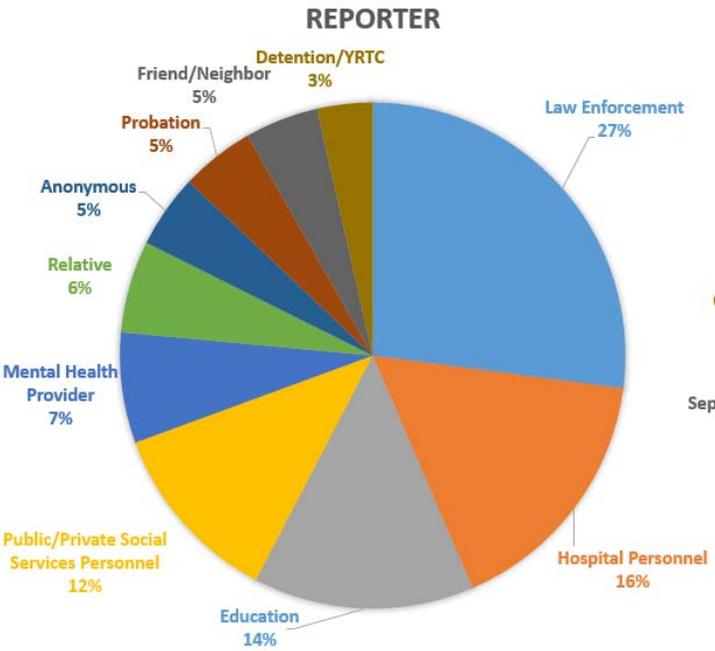
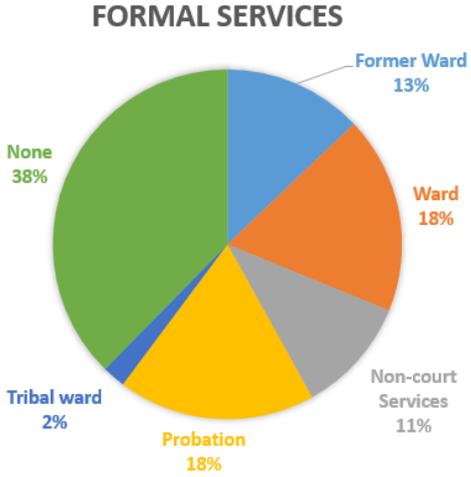
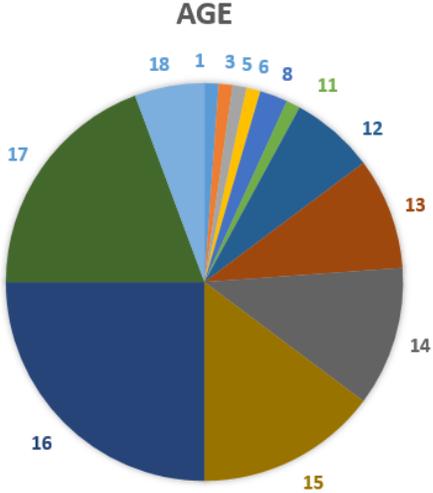
Activities: This group was dormant for most of FY2020 but reactivated in May of 2020 to examine need for the group moving forward.

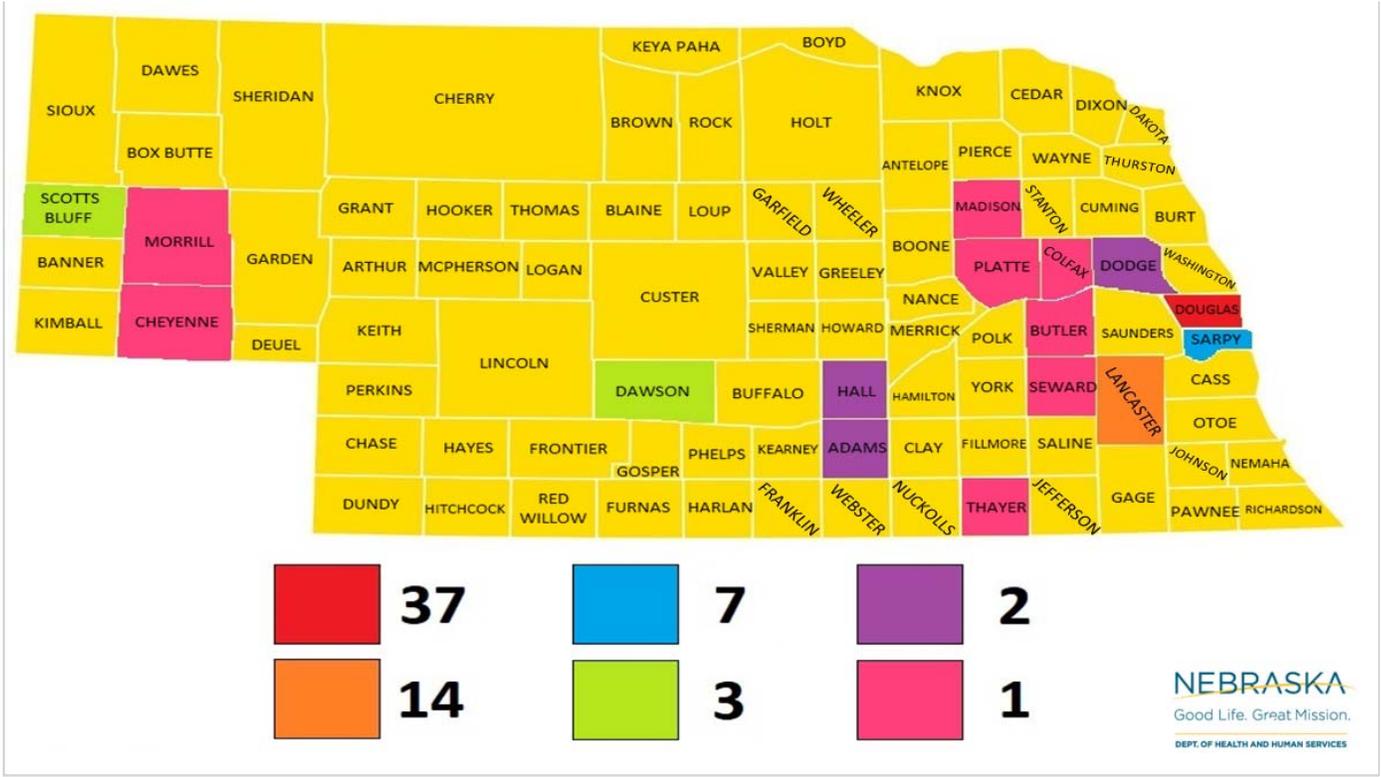
During the 106th Legislature, 1st Session, [LB519](#) was passed which requires DHHS to investigate all allegations of alleged child sex and labor trafficking regardless of the perpetrator. This important legislation improves our state's coordinated response and intervention to child sex and labor trafficking. With the passing of LB519, there is now a standard process for the mandatory requirement of sharing cases of suspected trafficking with local law enforcement.

Moving forward, this Subcommittee will work in collaboration with NHTTF to identify areas of need. Currently, NHTTF does not have subgroups specifically focused on youth trafficking, services or response. These may be areas for this Subcommittee focuses on during the next report year.

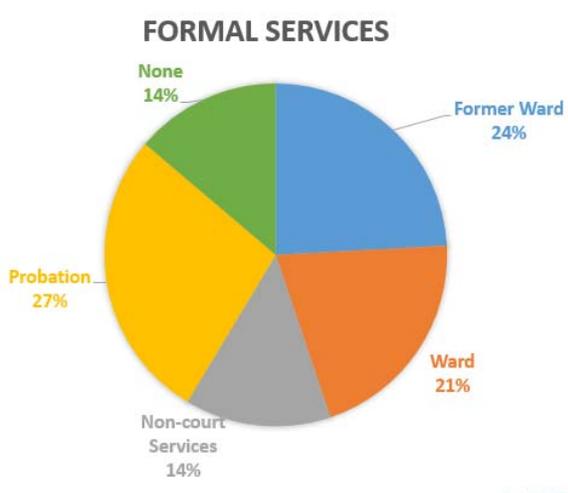
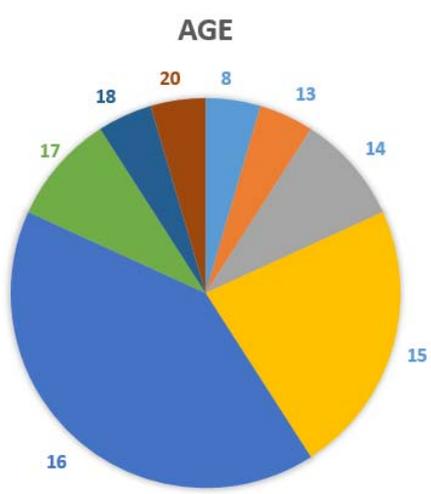
This subcommittee continues to review trafficking related intake information from DHHS. Data from the May 2020 meeting can be found on pages 7-9 of this report.

2019 Trafficking Reports made to the Abuse and Neglect Hotline

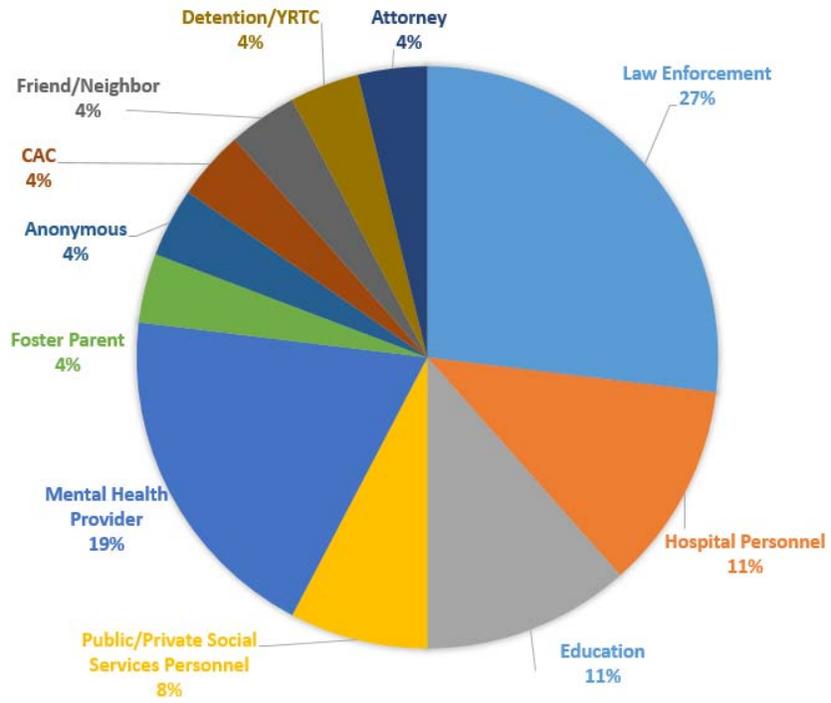




2020 Trafficking Reports made to the Abuse and Neglect Hotline (as of April 30, 2020)



REPORTER



Normalcy Subcommittee

Felicia Nelsen and Tom McBride, Co-chairs

Purpose: To monitor the implementation of the Strengthening Families Act, specifically to review the normalcy plans and reports pursuant to [§43-4706](#).

“Every child placed by the department in a foster home or child-care institution shall be entitled to access to reasonable opportunities to participate in age or developmentally appropriate extracurricular, enrichment, cultural, and social activities.” [Neb. Rev. Stat. §43-4704](#)

Activities: This group was reconvened after the implementation of the statutorily required Normalcy Plans and Reports (LB225 in 2017) and to issue a survey in attempt to measure progress since the initial implementation of the NSFA. Since completion of the survey, the Normalcy Subcommittee has continued to meet periodically to review Normalcy Reports.

Normalcy Plans and Reports:

The SFA Committee assigned the Normalcy Subcommittee the task of reviewing the Normalcy Plans and Reports submitted by child-caring institutions to the Department of Health and Human Services pursuant to [NRS §43-4706](#). The Normalcy Subcommittee reviewed Normalcy Plans and Reports for 12 child caring institutions. These child caring institutions provide congregate, non-treatment, placement settings (group homes and shelters) for state wards and youth under the supervision of Juvenile Probation. This component of the Act was passed in 2017 and implemented in child caring institution contracts with DHHS-DCFS in 2018. The Subcommittee collaborated with the Department of Health and Human Services in the development of a standardized format to be used in the reporting process.

During the review, it was noted the statute was not interpreted to apply to congregate treatment settings (psychiatric residential treatment facilities, or treatment group homes). Also, it does not cover child caring institutions which receive placement of state wards or juveniles under contract/voucher by other entities such as PromiseShip and the Administrative Office of the Courts and Probation.

Additional information about the normalcy requirements across system partners and settings can be found here: <https://tinyurl.com/NormalcyMapping>.

During the next report year, the Normalcy Subcommittee plans to facilitate a listening session with agencies who are required to submit normalcy plans to DHHS. The purpose of this listening session will be to gather information about:

1. Individual agencies process for completing the normalcy reports
2. Ways the Normalcy Committee can provide effective feedback to strengthen normalcy reports
3. Methods for obtaining consistent youth input regarding normalcy activities

RECOMMENDATIONS

1. Normalcy should extend to youth in care in all systems, including child welfare, juvenile justice, behavioral and mental health, and developmental disabilities. The Committee recommends the statutory requirement for Normalcy Plans and Reports pursuant to §43-4706 be amended to include facilities which provide treatment services as a component of the placement, including treatment group homes and psychiatric residential treatment facilities.
2. Stakeholders should make every effort to make decisions that enhance and maximize normalcy and avoid placements and circumstances that are inherently not normal.
3. Normalcy should extend to youth in care in all systems as appropriate and considering parental preference. The Committee recommends the statutory requirement for Normalcy Plans and Reports pursuant to §43-4706 be amended to include facilities which provide treatment services as a component of the placement, including treatment group homes and psychiatric residential treatment facilities.

STRENGTHENING FAMILIES ACT COMMITTEE MEMBERSHIP

Member Name	Member Type	Title and Organization	Representation
Vernon Davis (Co-Chair)	Voting	Young Adult Previously in Foster Care , Young Adult Previously in Foster Care	Young Adult Currently or Previously in Foster Care
Jessica Rockemann (Co-Chair)	Voting	Child and Family Advocate , Nebraska Children and Families Foundation	Child Welfare Advocacy Organization Representative
Payne Ackerman	Voting	Former Foster Youth , Project Everlast	Young Adult Currently or Previously in Foster Care
Deanna Brakhage	Voting	Program Specialist , DHHS, Division of Children and Family Services	Executive Branch Representative
Ashley Brown	Voting	President , Nebraska KVC	Child Welfare Service Agency Representative
Nathan Collier	Voting	Former Foster Youth , Former Foster Youth	Young Adult Currently or Previously in Foster Care
Heather Colton	Voting	Associate Attorney/Guardian Ad Litem , Pollack & Ball, LLC	Guardian Ad Litem who practices in juvenile court
Rebecca Daugherty	Voting	Former Foster Youth , Former Foster Youth	Young Adult Currently or Previously in Foster Care
Patricia Frost	Voting	Education Specialist II , Nebraska Department of Education	Department of Education Representative
Stephanie Gardella	Voting	Program Coordinator , CASA for Douglas County	Child Welfare Advocacy Organization Representative
Ron Giesselmann	Voting	Executive Director , Masonic-Eastern Star Home for Children	Child Care Institution Representative
Monika Gross	Voting	Executive Director , Foster Care Review Office	Executive Director of the Foster Care Review Office
Brandy Gustoff	Voting	Chief Program Officer , Omaha Home for Boys	Independent Living Services Agency Representative
Terri Knutson	Voting	Parent	Parent Who Has Experience in the Foster Care System
Amara Madsen	Voting	Service Director , CEDARS Youth Services	Child Care Institution Representative
Sara Riffel	Voting	Project Director , Project Everlast	Relevant Professional Practical Experience Representative
Deb Shuck	Voting	Central Service Navigator for the Older Youth System of Care , CAPWN	Agency Providing Independent Living Services Representative
Lisa Story	Voting	Foster Parent Representative , Foster Parent Representative	Current or Former Foster Parent
Bailey Perry	Resource	Transitional Living Manager , Omaha Home for Boys, Jacob's Place	Independent Living Services Agency Representative
Deb VanDyke-Ries	Ex-Officio	Director , Nebraska Court Improvement Project	Judicial Branch Representative
Jeremy Behrends	Ex-Officio	Juvenile Justice Program Specialist , Administrative Office of Probation, Juvenile Services Division	Juvenile Probation System Representative
Vacant	Ex-Officio		Legislative Branch Representative