

TUOLUMNE COUNTY CHILD WELFARE SERVICES

REASON FOR INVESTIGATION

The Civil Grand Jury was asked to investigate Child Welfare Services (CWS). CWS was last investigated in 2005. It was apparent there was a need to investigate what progress had been made regarding the recommendations from previous Grand Juries.

A presentation to the entire Grand Jury by the CWS Program Manager, although well received, raised further questions about adequate funding and staffing, staff training and level of education, the methods used to determine the response to a call, the need for an ombudsperson, and the relationship between CWS and the Native American Tribal Council.

METHODOLOGY

The Grand Jury Human Services committee met twice with the Program Manager and supervisory staff on site to obtain further information regarding the operation of CWS. The first meeting was held with the Program Manager and other supervisors in the visitation room at CWS, located at 20111 Cedar Road North. The core areas covered by each supervisor included Fiscal Information, Emergency Response Procedures, Family Reunification, Permanent Placement, and the Independent Living Program. A complete tour of the facility followed the meeting. Questions that arose from the meeting prompted a follow-up interview with the Supervisors. The second meeting was held in the Program Manager's office. Afterwards, the committee followed a demonstration of the Structured Decision Making Software.

NARRATIVE/FACTS

There are currently 12 social workers with one on leave. There is one vacancy and one part-time position. There are three (3) supervisors, two (2) of whom supervise core programs. The Program Manager is an MPA (Master of Public Administration) candidate, one (1) supervisor has a MSW (Master of Social Work) and one (1) supervisor is a candidate for an MSW. Three (3) social workers have the following: a MA (Master of Arts) in Criminal justice, a MA in Education/ Personnel, and a MA in Composition and Rhetoric. In the Fall of 2009 Tuolumne, Calaveras, Amador, El Dorado and Nevada counties formed a partnership with Cal State-Sacramento to offer a Master of Social Work program, funded by the Mental Health Services Act (Proposition 63), to address the shortage of clinicians with a Masters Degree and a lack of qualified applicants in small counties who have a rural, cultural or language proficiency. Students attend class one (1) weekend a month, 10 weekends a year, for three (3) years. One (1) supervisor is currently enrolled in the program.

There are approximately thirty (30) cases per social worker per year.

The Social Services Aide, under the direction of the Emergency Response Manager, takes calls from the community and generates a report. Some calls demand an immediate

response (within three (3) hours) while non-life threatening calls are responded to within 10 days. The at-risk child may be placed into protective custody for up to 72 hours. The Hotline Tools from the Structured Decision Making software, which is very detailed and has been used in Tuolumne County since 2007, provides standardized evaluation to all situations and assists the social worker in making decisions toward possible removal of the child from the home. Everyone using the software receives four (4) days training. The software is used by almost all California counties and is continually evaluated and upgraded based on input from all CWS users. A copy of the manual may be obtained at the CWS office.

After the judge determines the validity of the allegations, a dispositional hearing is held to determine what needs to be rectified in order for the child to be returned to the parent/guardian, (e.g., enrollment in a drug treatment program). Approximately 70% to 80% of the cases involve drug use or alcohol abuse. The parents/guardians are tested for substance abuse 2 or 3 times a week on site at CWS. The parents/guardians are referred to AA (Alcoholics Anonymous) meetings, group counseling, parenting classes at Infant Child Enrichment Services (I.C.E.S.), and counseling at the Center for a Non-Violent Community, formerly the Mountain Women's Resource Center. Dependency Drug Court has proven to be helpful with most users attending the program. Treatment teams assess how the families are responding to treatment and determine whether or not they need to look at possible mental health issues.

The Notice of Rights and Responsibilities pamphlet given to parents/guardians is required by law. Any complaints made by a parent to the State are directed to the Staff Service Analyst who serves as the Civil Rights Coordinator. Complaints made to CWS are referred to that office, also. The office is located in the Department of Social Services building at 20075 Cedar Rd N. and answers directly to the Assistant Director of the Human Services Agency. If needed, the parents are immediately assigned a public defender. The social worker also acts as an advocate for the family unit. A legal self-help center is available, as well.

As of May, 2008 a new grievance hearing process regarding the Child Abuse Central Index has been put in place. Whether a finding is inconclusive or substantiated when an allegation of abuse occurs, a third party, or outside agency, can hold a hearing to see whether or not a name can be placed on the index. The parent/guardian has the right to request a grievance hearing within 30 days.

CWS contracts with Infant Child Enrichment Services (I.C.E.S.), a non-profit organization, which does home visits and operates the Raising Healthy Families program.

There is an emergency home in the county that has 6 to 8 beds (depending on siblings) where a child can stay for up to 30 days while CWS assesses the needs of the child. Currently, 40 homes are licensed for foster care.

Low risk referrals are filtered out to the Jamestown County Resource Center. While attempting to keep children with their families, the counselors work with the family, referring them to various agencies in the county. While children remain in the home the

social worker works with the family to prevent relapse. The goal of the social worker is to be part of a support system.

There are classes and assistance for youth ages 15 to 21. Currently, 6 youths are in the program. Hope House, which opened in April 2009, has 5 beds that will accommodate youths ages 18 to 24 that must be either working or attending school. The Emergency Housing Assistance Program (EHAP) funded the construction of the building. The program runs on a grant from McKinney-Vento Homeless Assistance and from Transitional Housing Placement (THP-Plus) State dollars.

CWS is legally obligated to investigate any complaint involving a child on tribal land. The tribal social services worker operates as a third party. Removing a Native American child from tribal land is, absolutely, a last resort. For the last 5 years CWS has maintained a very positive relationship with the tribal social services worker and his supervisor.

FINDINGS

1. The CWS staff believes that funding, which is targeted for specific activities, is used wisely. Preventative measures, such as working with the extended family, have been found to save money while providing the best outcome for the child.
2. The Administrative Office of the Courts, an arm of the Judicial Council of California, based in Sacramento, conducts an audit of CWS every two (2) years. Although the audit has been completed, the final report has not yet been issued. However, CWS has been assured by the State that the final report will reflect very favorably on CWS.
3. The Masters of Social Work Program is a positive step toward assisting rural counties in addressing the need for more social workers with a Masters degree.
4. The Structured Decision Making software, as demonstrated, appears to be an objective, thoughtful tool for determining the correct response to charges of child endangerment.
5. Although the Civil Rights Coordinator acts on complaints received by the State and/or CWS, the position does not serve as an ombudsperson.
6. The relationship between CWS and the Tribal Social Services has seen a distinct improvement over the past five (5) years.

RECOMMENDATIONS

1. There are no specific recommendations for Findings 1 through 4 and Finding 6.
2. This recommendation does not relate to any specific finding. While there has been a visible marketing campaign to recruit foster parents, the need for more available local foster homes continues to be an issue. We encourage CWS to intensify its campaign to recruit more foster parents.

3. For Finding 5, although there are many resources available to the parent, this Civil Grand Jury agrees with past reports recommending that CWS create the position of ombudsperson.

COMMENDATIONS

We commend the staff for creating a culture of teamwork which has been a vital force in the development of a strong support system for Tuolumne County parents/guardians and CWS staff.