



WISCONSIN LEGISLATIVE COUNCIL

STRENGTHENING WISCONSIN FAMILIES

Room 412 East, State Capitol
Madison, Wisconsin

August 13, 2009
10:00 a.m. – 12:50 p.m.

[The following is a summary of the August 13, 2009 meeting of the Special Committee on Strengthening Wisconsin Families. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

Call to Order and Roll Call

Co-Chair Taylor called the meeting to order. The roll was called and it was determined that a quorum was present.

COMMITTEE MEMBERS PRESENT: Sen. Lena Taylor and Rep. Steve Kestell, Co-Chairs; Sen. Dale Schultz; Rep. Tamara Grigsby; and Public Members Sheryl Albers, Jon Angeli, John Burgess, Gary Erdmann, Wanda Montgomery, and Terence Ray.

COMMITTEE MEMBERS EXCUSED: Public Members Debra Fields, Undraye Howard, Lucille Rosenberg, Mary Jo Tittl, and Jack Westman.

COUNCIL STAFF PRESENT: Anne Sappenfield, Senior Staff Attorney; and Jessica Karls-Ruplinger, Staff Attorney.

APPEARANCES: Kimmie Collins, Legislative Liaison, Angela Russell, Executive Assistant, and Julia Bachir, Child Welfare Policy Advisor, Department of Children and Families.

Approval of the Minutes of the Committee's July 15, 2009 Meeting

Mr. Angeli moved, seconded by Ms. Montgomery, to approve the minutes from the July 15, 2009 meeting. The motion passed by unanimous consent.

Update from the Department of Children and Families

Ms. Russell provided an update from the Department of Children and Families (DCF) to the committee. She responded to committee questions from the previous meeting. In addition, she discussed items affecting DCF in the 2009-11 biennial budget act, including the child care quality rating system, foster care rate increase, and foster parent training. She also provided DCF's responses to the bills of rights, foster parent training, extended court jurisdiction, and family policy board bill drafts.

For WLC: 0416/2, relating to creating bills of rights for foster children and foster parents, Ms. Russell indicated that DCF is currently studying foster parent and child bills of rights from around the country. She noted that DCF wants to work on a foster child bill of rights first, before working on a foster parent bill of rights. She indicated that DCF would work with legislators to develop a foster child bill of rights.

For WLC: 0417/3, relating to training for foster parents, Ms. Russell stated that the Biennial Budget Act requires training for foster parents. She explained that DCF is working on a statewide curriculum for the training and that training would be required starting in 2011. In response to the bill draft, she expressed concern regarding the ability of DCF to include other topics in the foster parent training, other than those outlined in the bill draft. She stated that DCF would support the bill draft if it were amended to allow DCF to include other topics in the foster parent training, in addition to those already outlined in the bill draft.

For WLC: 0424/1, relating to extended court jurisdiction for certain foster youth under the age of 21 years, Ms. Russell stated that extending foster care is too costly to pursue during this fiscal biennium. For WLC: 0346/3, relating to creating a family policy board and requiring counties to provide prevention resources, Ms. Russell stated that DCF opposes the creation of a family policy board and wants to work with existing entities to pursue the goals of a family policy board.

Ms. Russell responded to questions from committee members relating to issues raised at public hearings held by DCF, transition plans for foster children, costs of extending foster care past age 18, and foster parent training requirements.

Discussion of Committee Assignment

WLC: 0346/3, relating to creating a family policy board and requiring counties to provide prevention resources

Committee members discussed WLC: 0346/3. Mr. Angeli asked why the prevention language was included in the bill draft and noted that support for families should go beyond child abuse and neglect.

Ms. Albers expressed concern about the reference to prevention of mental illness. She asked that the bill draft instead reference the promotion of mental health. The committee decided to make this change to the bill draft.

Representative Grigsby mentioned that local agencies probably do not have a lot of funds to work with to implement the additional prevention requirements in the bill draft. She also noted that some mental illness is the result of environment and can be prevented.

Mr. Burgess suggested that agency decisionmakers participate in the family policy board. Co-Chair Kestell stated that agency membership on the board is consistent with agency membership on other state boards.

WLC: 0416/2, relating to creating bills of rights for foster children and foster parents

Committee members discussed WLC: 0416/2. Co-Chair Taylor stated that she does not want to prevent DCF from receiving input on best practices for bills of rights.

Ms. Albers noted that she thought the health care provision in the bill draft was too broad. She also noted that the religion provision does not give an age at which the provision is applicable.

Co-Chair Kestell indicated that he supports the goals of the bill draft, but that he is concerned about the reality of the foster parent and child relationship.

Ms. Montgomery stated that the agency is responsible for ensuring that the rights of foster children are met.

Mr. Erdmann explained that the bill draft changes the interaction between the foster parent and child and changes the dialogue in a productive way.

Co-Chair Kestell asked whether the bill draft should be called something other than a “bill of rights.” Committee members discussed whether to use the term “expectations” rather than “rights.” The committee decided to use the term “expectations.”

Co-Chair Taylor asked whether the committee should instead require DCF to create the expectations by rule. Committee members then discussed whether to include the expectations in statute or require the expectations by DCF rule. The committee decided to require DCF to prescribe the expectations by rule, but to also describe some expectations in statute that DCF could include in the rule.

Ms. Montgomery asked whether the expectations would be provided to foster parents during training. Ms. Sappenfield noted that the bill draft only requires that the expectations be provided when the foster parent receives his or her license. The committee decided to include the option of having the expectations be provided during training as well.

WLC: 0417/3, relating to training for foster parents

Committee members discussed WLC: 0417/3. The committee decided to include DCF’s recommended amendment to the bill draft, which allows DCF to include other topics in the foster parent training, in addition to those already outlined in the bill draft. The committee also decided to change the effective date to January 1, 2011, to align the bill draft with DCF’s plan to implement foster parent training.

WLC: 0424/1, relating to extended court jurisdiction for certain foster youth under the age of 21 years

Committee members discussed WLC: 0424/1. Ms. Sappenfield noted that the bill draft does not automatically extend foster care for a foster child.

Ms. Albers stated that extended foster care should be removed if a foster child no longer satisfies the conditions required for extended foster care. Ms. Sappenfield stated that the committee could modify the bill draft to require that the agency notify the court when a foster child does not satisfy the conditions required for extended foster care. The committee decided to make this change to the bill draft.

Co-Chair Taylor stated that the bill draft may not be as costly as DCF believes because the bill draft is limited to children who satisfy the conditions for extended foster care and who want to remain in foster care. Committee members discussed the cost of the bill draft.

Discussion of Committee Assignment

Co-Chair Taylor told committee members that revised bill drafts would be mailed to members for voting. She announced that the committee has adjourned and will no longer meet until created again later in the biennium by the Joint Legislative Council.

Adjournment

The meeting was adjourned at 12:50 p.m.

JRK:jal:ksm