



Foster Care Standards and Oversight Committee

The mission of the Foster Care Standards and Oversight Committee is to provide oversight for and promote communication between the Board of Supervisors, the Department of Social Services and its related agencies, and the community, with emphasis on providing information and recommendations that make the system more effective and efficient.

MINUTES

August 2, 2023

9:00 A.M. – 11:00 A.M.

Meeting held in-person for Committee members and public.
Virtual option via Microsoft Teams for public only.

I. Call to order and introductions.

Wilma

Meeting called to order by Wilma Hashimoto (Chair, District 5) at 9:11 AM with roll call by DSS Staff Support, Julia Perez.

II. Approve Minutes for *May 3, 2023* and *August 8, 2023* Agenda.

- Rosemary Alanis (District 4) motioned; Sal Quintero (Board of Supervisors, District 3) seconded to approve the May 2023 Minutes and August 2023 Agenda.

III. Updates.

A. Receive Report from Department of Social Services Addressing Critical Areas.

Kimberli/Sanja

- Kimberli Smith, Child Welfare Services (CWS) Deputy Director, asked if Committee had any questions regarding the CWS data points that were sent ahead of the meeting; No questions asked.
- Sanja Bugay (Director, Department of Social Services) noted that CWS data is mainly focused on Mod C but did want to share that more teens have been returning from AWOL this summer. This is one of the reasons Building 5 is currently being used for overflow and secondary reasons. The reasons are driven by the safety and needs of the youth and the necessity of staying in compliance with CDSS regulations.
- Kimberli confirmed a second time that there were no questions on the CWS data provided that month.

IV. New Business

A. Presentation on the Brown Act & Confidentiality

Rebekah

- Senior Deputy County Counsel, Rebekah Eropkin, gave a presentation on the Brown Act and Confidentiality. A physical and digital copy of the presentation was provided to all Committee members and available for attendees virtually and physically at the meeting.

Key Points from Brown Act Presentation & Confidentiality:

- Bottom left-hand corner of each slide contains citations to documents that relate to the Committee, Code Sections, and any other documents for reference.
- All meetings of a legislative body of a local agency shall be open and public, with some exceptions.
- Quorum is 1 person more than one half of the all the appointed Committee members.
- Brown Act prohibits "serial meetings". If you have 2 Committee members meeting for coffee, and Committee topics come up in conversation, that is not a violation of the Brown act. When different interactions with different Committee members are taking place to share other Committee members' ideas or concerns, that is considered a serial meeting and a violation of the Brown Act. Rebekah compared it to a game of telephone.
- County Staff may communicate with Committee members to answer any questions or provide information. This will not violate the Brown Act.
- Be mindful of conversations that are had on social media with other Committee members, especially if they relate to Committee topics. Rebekah recommended Committee members read this section of the presentation.
- Ceremonial events (ex. weddings, award ceremonies, and CASA events) that some members might attend do not violate the Brown Act, if Committee business is not discussed.
- Rosemary Alanis asked if it would be appropriate for Committee members to redirect any information requests to the Committee Chair. Rebekah confirmed this is allowable. The Bylaws do not address this situation specifically. Recommendation was made to amend the Bylaws to create detailed Brown Act rules for communications.
- Traditional rules for teleconferencing and newer rules for hybrid-teleconferencing need to be followed. Hybrid-teleconferencing has specific technological requirements that can be quite burdensome, as support staff would not be able to resolve the technological issues that occur.

- The focus is to return to traditional public meetings, where members are expected to attend in person (which is now a requirement).
- Pamela Hancock (Vice-Chair, District 5) asked if online guests are allowed to participate during meetings. Rebekah responded that the Committee could decide to notify the public that meetings will be available to members of the public to attend/watch remotely, but if they would like to participate, they should be notified to attend in person due to the technological issues that are consistently present at meetings. Notices could be added on the agenda and public website.
- There are two types of meetings, Regular Meetings and Special Meetings. Regular Meetings are held at a consistent date, time, and place set by the Committee. Agendas and supporting documents are posted in a public place and on the website at least 72 hours in advance of the meeting. This will promote transparency with the public on topics that will be discussed, and they could decide if they would like to attend.
 - Special Meetings are called by the Committee Chair or a majority of the members at any time. The agenda for Special Meetings must be posted 24 hours in advance of that meeting. These types of meeting are very focused and are meant to discuss 1 or 2 items that are on the agenda.
- In general, no action or discussion should be taken on any item that is not on the meeting agenda. Brown Act violations might occur when meetings veer off topic and/or members want to add something to the agenda.
 - On the other hand, some acceptable non-agenda items include brief responses, clarification questions, brief announcements/reports on member's activities, provide resources, and make requests to staff to add a future agenda item.
- Closed sessions discuss personnel matters, real estate negotiations, litigation, labor negotiations, or public security threats. As none of those topics are within the scope of FCSOC, closed sessions will not apply to this Committee.
- The Brown Act creates specific rights for the public to engage with the Committee when meetings take place. Members of the public can record meetings, attend meetings without registering their names, and may address the Committee on each item of business on the agenda and any other matter of public interest within subject matter jurisdiction of the Committee. Ed Avila (District 5) asked Rebekah if members of the public are required to give their name when the Chair asks for public comment. Rebekah responded that it is not required but is encouraged for recording purposes and general follow-up.
- Wilma asked what category Committee retreats fall under. Rebekah responded that if enough members to constitute a quorum will be present at the same time and place to discuss, deliberate or act on any subject matter that within the nature of the Committee, then that would be considered a meeting and Brown Act rules would apply. The public should be notified of the retreats so they can have the opportunity to attend and participate.
- "Subject Matter Jurisdiction" refers to matters the Committee is responsible for, such as the Underlying Assumptions and Statement of Purpose of the FCSOC.
- Intentional violations of the Brown Act are prosecuted by the District Attorney's Office. It is up to the District Attorney to determine whether there is evidence to prosecute. The Civil Course of action that investigates Brown Act violations entails the Committee to be given an opportunity to cure any violation of the Brown Act before the lawsuit becomes more intense. Rebekah said if there is a violation of the Brown Act under a Civil Action, then attorneys' fees would have to be paid out to the person bringing that action.
- Reminder to the Committee that juvenile case records - whether or not a petition is formally filed in the court system - are required to be kept confidential. The judge is the gatekeeper of this information. Rebekah recommends members to refrain from discussing individual cases and to focus on the systemic global issues. The FCSOC is barred from discussing individual cases to protect the confidentiality and privacy rights of the children.
- Tracy Kashian (District 2) asked for clarification on whether an existing Superior Court document allows Committee members access to juvenile court records. Rebekah responded that her office reviewed that document, and the interpretation was that the blanket order does not cover the FCSOC. She added that the standing order relates to different agencies, not this named Committee. Rebekah also mentioned that there was a 2003 Petition filed on behalf of the Committee for disclosure of Juvenile Court Records, but Rebekah could not find the accompanying signed court order that would authorize the Committee to review those records, meaning there is no verification that the Committee's 2003 petition was granted by a judge. If the petition was granted, it would only authorize the Committee Chair to inspect records, but the Chair would not be allowed to makes copies of or discuss any information included in the records.
- Cathie Huerta, CWS Deputy Director, said that there was a time when that petition was granted for some specific cases. She later recalled that it was the Committee Chair who was granted access to view juvenile court records that were held at the Department of Social Services. Wilma added that the person who was granted access was also a CASA and that it was regarding a CASA case.
- Rebekah added if a granted court order to inspect records is found, she would caution the Committee on acting on that court order because there are different offices that represent parents and children that were not contemplated nor made aware of

the petition process back in 2003 and might not be part of the court system now. The other offices would have difficulty with the court order mentioned above. Rebekah encourages the Committee to focus on systems rather than individual cases to protect the confidentiality of the juvenile cases. She recommends getting a specific court order for each case the Committee may want to investigate. Keep in mind that this is a Brown Act body, and all discussions are public. Confidentiality of the cases cannot be violated.

- Kevin Lisitsin (District 2) questioned the purpose of the Committee if Brown Act rules prohibit mentioning specific cases/names. Sanja mentioned that when data is shared, only de-identified data/numbers are shared to protect confidentiality. Any questions regarding data is answered without referencing the names of youth. If a concern about a specific child comes up, internal and state oversight organizations/processes are involved.
- Rosemary Alanis (District 4) reminded the Committee that she asked for a Resource Family Approval (RFA) audit. She added that she is interested in seeing the trends, not specific names. The audit would help determine if any policy or procedure is needed to fix an issue and will also show if there are any recurring issues. Sanja responded by saying that the audit will become available to the meeting attendees and should be on the agenda for the next FCSOC meeting.
- Kimberli discussed the Child Welfare Services Monitoring & Oversight Resources handout. This document is a collection of current agencies and processes providing oversight to CWS, as well as agencies and/or processes that can be contacted if there are any concerns regarding foster care complaints or processes used.
- Kimberli gave an update on the 14 Enhancement Workgroups that were created last year for DSS to determine what improvements could be made within the Department. Some of the workgroups are still currently active while others have been sunset. There are opportunities available for Committee members to join in on some of the workgroups and give a new perspective regarding improvements. The workgroups are available via Zoom and Kimberli will be reaching out to the Committee members to provide information on how to join the work groups.
- Karina Perez (District 1) pointed out that the FCSOC website did not have enough information regarding the Subcommittees. There is no link provided to join. She also asked for the Bylaws to be posted on the website.
- DSS, in collaboration with Fresno County Probation, submitted the Fresno County Comprehensive Prevention Plan to the State. Kimberli will be presenting this plan at the September meeting.
- Wilma addressed Kevin's concern regarding an orientation for new FCSOC members. Wilma believes practices have evolved, so she would like a meeting set up for newcomers that will provide a history lesson and additional information on the FCSOC.
- Wilma asked Rebekah if it is acceptable to have a Doodle poll sent out to survey a date for a retreat. Rebekah recommended to add an item on a future agenda about the retreat. The Chair and Vice-chair could come up with 2-3 dates that work, a date can be selected and coordination with DSS Staff and any other presenters could take place. After a date has been selected, the public should be notified about that retreat date.

B. Annual Report Discussion

All

- Wilma and Pam have presented their draft of the 22-23 FCSOC Annual Report. Wilma mentioned a lot of work has been done based on last year's goals. Draft was provided for Committee members and DSS Deputy Directors to review so feedback can be provided to the Chair and Vice-Chair at the next FCSOC meeting.
- Results for the 22-23 Goals regarding the Education and Childrens Mental Health Subcommittees were discussed. The goal to hold a Fresno County Superintendent of Schools Foster Youth Executive Advisory Committee was successful (6 meetings held; 1 culminating year-end event took place). A replacement is still needed for an individual to serve as Co-Chair for the Children's Mental Health Subcommittee. Active recruitment is ongoing.
- Wilma pointed attention to page 4 of the Annual Report, which shows the number of resignations from FCSOC. There are now a total of 4 vacancies (District 1 – 2 vacancies; District 4 – 2 vacancies).
- There is continued work with the DSS in the dissemination of information. Wilma noted there has been improvements with this process.
- Wilma continued to provide a summary of each section of the Annual Report. Request for individual feedback was reiterated, especially for 23-24 FCSOC goals.

C. Board of Supervisors recommendations for the 22-23 and 23-24 Year-End Report's Priority

All

- Wilma would like the Committee to provide their recommendations for the Board of Supervisors, as new initiatives are being considered for foster youth.
- The 22-23 Annual Report is scheduled to go to the Board of Supervisors in late September.
- Sanja added that the reports DSS is going to prepare will be available for the Committee to review ahead of the September meeting. She also has Departmental goals she would like to share that could be added to the report.
- While looking over the graduation rates, Tracy suggested adding the need for transportation as one of the recommendations.

Pam clarified that 22-23 graduation rates are not currently shown on the Annual Report draft since that information has not been received, but notified Tracy that this issue should and will be discussed.

- Karina suggested having an assessment/survey provided to the DSS Social Workers who work directly with the foster youth to find out what issues need to be addressed. She would like to know if this is something that can or has been done. Sanja responded that there is currently not a staff survey. Karina feels that this would be beneficial for the committee to get first hand feedback. Sanja suggested a couple of members of the Committee could assist with creating a survey. Karina, Tracy, and Kevin have all agreed to assist with creating a survey.

V. Subcommittee Updates

Pam

A. Education

- Pam’s recommendation for the report regarding the Education Subcommittee is to have it changed over from Fresno County Superintendent of Schools Foster Youth Executive Advisory Board. It is not as effective as it was previously when it was a separate meeting.
- Community members, DSS, and CASA have been very involved with the foster literacy initiative that is led by Fresno Unified School District. There are outstanding outcomes to be discussed later.
- There has been a collaborative of educational training for the Social Workers. About 1/3 have completed training. The next training will be with the Courts.
- End of the year event was held and 60 students that are part of the Leadership Academy were in attendance. Supervisor Quintero noted the overall positive experience for the event.
- Pam wants to have a discussion on what can be done to improve graduation rates.
- The FAFSA challenge was won, which included a monetary reward. All foster youth high school seniors successfully completed a FAFSA application. Fresno County Superintendent of School Board also donated \$5,000.
- The Fresno County Superintendent of Schools is having a mandatory District Liaison Meeting on September 11th. Pam is inviting the Committee to discuss the Network Improvement Community and how it is affecting the Children.

VI. Adjourn

Wilma

Next meeting will be on September 6, 2023, in-person for Committee members and the public, and viewable virtually via Microsoft Teams for members of the public. Meeting adjourned by Wilma at 11:01 AM.

Committee Attendance

District 1	District 2	District 3	District 4	District 5
		<input checked="" type="checkbox"/> Sal Quintero <input type="checkbox"/> Ari Martinez (Proxy)		
<input checked="" type="checkbox"/> Karina Perez	<input checked="" type="checkbox"/> Kevin Lisitsin	<input type="checkbox"/> James Martinez	<input checked="" type="checkbox"/> Rosemary Alanis	<input checked="" type="checkbox"/> Pamela Hancock
<input type="checkbox"/>	<input type="checkbox"/> Maisie Young	<input checked="" type="checkbox"/> Elizabeth Thomas	<input type="checkbox"/>	<input checked="" type="checkbox"/> Ed Avila
<input type="checkbox"/>	<input checked="" type="checkbox"/> Tracy Kashian	<input type="checkbox"/> Patricia Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/> Wilma Hashimoto

* Marked Boxes Indicate Committee Member Attended

Attending Staff and Guests

In Person: Kimberli Smith, Cathi Huerta, Sanja Bugay, Sal Quintero, Julia Perez, Hillary Bolger, Taylor Chavez, Rebekah Eropkin, Brian Van Anne, Rocky Vang, Amina Flores-Becker, Patti Scovill, Chad Valorosi, Marilyn Sliney, Esther Franco, | **Microsoft Teams:** Rebekah Rodriguez, Christie Lee, Joshua Lawson, Rose B, Cheryl O’Conner, Laurie Lopez, Cheryl Whittle, Dalvin Baker, Alexandra Addo-Boateng