

Juvenile Justice Commission
County of Santa Clara
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Group Homes Report

February 2018

Report Overview

The Juvenile Justice Commission in 2017 continued to monitor implementation of a major transition dictated by the enactment of Assembly Bill 403 in 2015. This Continuum of Care (CCR) legislation transforms congregate care for dependents and wards in the state of California.

While the goals of CCR are laudable, implementation has been fraught with delays and challenges, resulting in uncertainty in the system for congregate care providers, regulators, and administrators, as well as risk for children whose placements may be disrupted. Economic realities, particularly for high cost areas such as Santa Clara County, complicate an already complex undertaking.

In 2017, the JJC maintained a dual focus on monitoring a) conditions in congregate care facilities serving wards and dependents and b) implementation of CCR. In doing so, the JJC communicates and consults with the Social Services Agency, the Juvenile Probation Department, the Court, the Board of Supervisors, and other oversight bodies.

The JJC's findings and continuing concerns are presented in this report.

Authority

The Santa Clara County Juvenile Justice Commission (JJC) is a state-mandated, court-appointed authority. The JJC's purpose is to inquire into the administration of juvenile law in Santa Clara County. The JJC is dedicated to the promotion of an effective juvenile justice system operated in an environment of credibility, dignity, fairness, and respect for the youth of Santa Clara County. Among its duties, by authority of the California Welfare and Institutions Code, the JJC is responsible to oversee congregate care facilities that serve wards or dependent minors in the County.¹

¹ WIC 229.5 (a) Notwithstanding any other provision of law, a juvenile justice commission may inquire into the operation of any group home that serves wards or dependent children of the juvenile court and is located in the

Continuum of Care Reform (CCR)

On October 11, 2015, the Governor signed into law Assembly Bill 403, a primary goal of which is to reduce reliance on congregate care as a long-term placement setting, in favor of supportive – and better supported – family settings. Effective January 1, 2018, minors were to be transitioned out of group home placements either to resource family (foster) homes or, if necessitated by short-term, specialized treatment needs, to Short-Term Residential Therapeutic Programs (STRTPs). Maximum placement duration in STRTPs is to be six months. Options available to former group homes are to obtain accreditation and state approval as STRTPs, to transition to Transitional Housing Programs (THPP) for youth at least 16 years of age, or to close.

Population and CCR Implementation Status

Dependents:

Of the 1098 dependent children in Santa Clara County, 128 children were in DFCS group home placements, and 81 were in Transitional Housing programs on October 1, 2017.² (See data in Appendix 1.) Eighty-nine (89) of the 128 children in group homes were in facilities located within Santa Clara County, leaving 30% placed out of county.

Implementation of CCR has been challenging for California and its counties. Recruitment of sufficient resource families, individual assessment of every child's needs, and qualification and licensing of STRTPs have been more difficult than anticipated.

Initial licensure of STRTPs is provisional, and provisionally licensed STRTPs have twelve months to achieve accreditation and obtain BHS contracts. As of January 2018, only two STRTPs in Santa Clara County had been provisionally licensed by the California Department of Social Services Community Care Licensing Program (CCL). Two additional group homes had submitted applications as STRTPs. Of the four, three had been awarded contracts for provision of required mental health services by the county Department of Behavioral Health Services (BHS), covering an anticipated need for 58 beds. These beds are not reserved for Santa Clara County youth.

county or region the commission serves. The commission may review the safety and well-being of wards or dependent children placed in the group home and the program and services provided in relation to the home's published program statement.

² Webster, D. et al., (2018). *CCWIP reports*. Retrieved 1/18/2018, from University of California at Berkeley California Child Welfare Indicators Project website. URL: <http://cssr.berkeley.edu/ucb_childwelfare>.

The Santa Clara County Department of Family and Children's Services (DFCS) has filed for license extensions to fall 2018 for several group homes to allow more time for CCR implementation and transition. With respect to transition, the Department is expanding efforts to recruit resource families, expedite their qualification, and better support them through wrap-around and other services. The Commission notes that best practices support relative placements as the preferred alternative. Santa Clara County's rate of relative placement (29%) falls below the state-wide figure of 33%, which may suggest an opportunity to address both recruitment challenges and the children's outcomes.³

Probationers:

With respect to wards, the Santa Clara County Department of Probation reported eight probation youth in group home placements as of January 19, 2018. Four of these youths were in out-of-county sex offender specific programs at two facilities, both of which have received extensions to transition to STRTP licensure. The remaining four youths were in out-of-state programs, in Pennsylvania, Iowa, and Utah. The Utah facility is the first out-of-state program to be licensed as an STRP. Youth are placed in out-of-state programs when high-level needs cannot be met by in-state programs and/or as an alternative to a DJJ commitment.

Probation reported its greatest challenge implementing CCR as the lack of home-based options available to take Probation youth with high needs.

JJC Oversight Approach

The Commission's Group Homes team broadened its approach in 2017 beyond annual inspection. Its focus included and continues to emphasize the following:

- a. Continuing to participate in monthly DFCS, BHS, and Probation sponsored meetings on CCR implementation
- b. Monitoring CCR implementation by requesting updates at JJC public meetings, implementation meetings, and in informal discussions.
- c. Reviewing placements in all congregate care facilities for wards and dependents, including also group homes for developmentally disabled dependents, and THPPs
- d. Conducting several informal facility visits to assess conditions and determine whether full inspections are indicated
- e. Reviewing CCL reports and consulting with CCL and other system partners to identify patterns of problems at residential facilities in which wards and dependents are placed
- f. Coordinating with other county JJCs to obtain visibility into the substantial number of out-of-county placements of Santa Clara County minors
- g. Monitoring and seeking improvement in programmatic and educational services provided in congregate care facilities
- h. Continuing to pursue previously identified concerns regarding fire safety, inasmuch as fire inspections of group homes are required only on initial licensing.

³ Ibid.

Commissioners visited the following group homes between October and December 2017:

- S.T.A.R. Transitional Housing Placement Program (THPP)
- Gateway House, Advent Group Ministries
- The Nest, Advent Group Ministries
- Better Living Home (for children with developmental disabilities)
- Unity Care Group Home #8

Commissioners developed a) a new tool to aid documentation of informal group visits, Appendix 2 to this report, and b) supplementary questions for facilities for the developmentally disabled.

The Commissioners who conducted the five facility visits found each one adequate. There was consensus that education, counseling/therapy, and programming require greater attention at group homes in general.

Commissioners also reviewed CCL data on group homes that were inspected by the JJC in the recent past, found deficient, and referred to CCL, including the two California Anchor Residents homes. These two homes received intensified scrutiny, including 15 to 18 CCL visits each in 2017, as well as JJC follow-up. CCL assessed Civil penalties for several violations. A pattern of improvement is evident, and the most recent CCL visit found “no Title 22 deficiencies observed or cited at this time.”

Conclusions

This is a time of transition and challenge for all system participants affected by enactment of AB403 to effect Continuum of Care Reform. The Commission is mindful that major legislative change often engenders uncertainty and disruption for regulators, service agencies, and providers, who struggle to manage change and reconcile conflicting and sometimes unrealistic requirements and various legitimate interests. Nonetheless, one would have hoped for a smoother transition, given a generous implementation period of three years for both the state and the counties. The confusion and uncertainty among group home operators, on whom care of the County’s dependents and wards depends, is of particular concern.

The Commission remains optimistic about implementation over the next year, which will require strong and confident leadership at DFCS and dedicated staff work throughout the system, particularly in the face of an imperfect roll-out by the State. The JJC will scrutinize and follow progress closely.

A primary concern is the recruitment, qualification, retention, and support of strong resource families in sufficient numbers. Santa Clara County faces extra challenges from inadequate reimbursement rates in an area with a high cost of living and exceptionally high housing costs. Economics aside, providing foster care to children who have suffered trauma is an intense and demanding undertaking, whose success requires that the County ensure the availability and accessibility of wrap-around and other support services to address the social and emotional needs of children welcomed into these resource families.

Children currently in group homes, who do not require or qualify for STRTP care but for whom resource family placements may be unavailable, may be at risk of further traumatization. They should neither be transitioned prematurely to THPP placements nor default to stays at the Receiving, Assessment, and Intake Center (RAIC), which is itself in an uncertain transition and is not licensed or equipped to support children for extended stays.

As noted, placements in STRTPs for children requiring intensive therapeutic services are limited to six months duration. The Commission is concerned about plans for children in STRTPs who may not be ready at the conclusion of six months to make a successful transition to a resource family or THPP.

Commendations

The Commission commends:

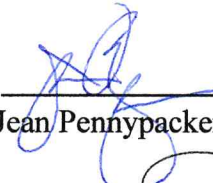
- The efforts of staff throughout the system to serve the best interests of dependents and wards, despite regulatory and systemic change and uncertainty.
- The five group homes visited, where staff appeared committed to the welfare of the children and Commissioners did not observe conditions that indicated the need for a full inspection at this time.

Recommendations


The Commission recommends:

1. DFCS should intensify resource family recruitment and retention efforts, with emphasis on relative placements wherever possible.
2. As an integral part of the recruitment and retention effort, and to support the success of families willing to welcome Santa Clara County dependent children into their homes, DFCS should fully explore and augment support services and programs for resource families.
3. DFCS should ensure flexibility in STRTP length of stay, in keeping with DFCS' goal of assessment, placement, and support based on an individualized, child-centered model. The legislative limit of six months may not be appropriate to meet the needs of every child placed in an STRTP.
4. Behavioral Health Services should monitor closely its contracted bed capacity, to ensure sufficient places for Santa Clara County dependents and wards in STRTPs, in a dynamic environment.
5. Santa Clara County agencies and departments should improve coordination with each other and communication with group homes and other providers to minimize confusion and misinformation, especially during the transition.

Report approved by the Santa Clara County Juvenile Justice Commission, February 6, 2018



Jean Pennypacker, Commission Chair



Carol Rhoads, Group Homes Report Chair

APPENDIX 1 – DATA TABLES

**Santa Clara County
Children in Foster Care
Agency Type=Child Welfare**

Age Group	Point In Time						
	Oct 1, 2011	Oct 1, 2012	Oct 1, 2013	Oct 1, 2014	Oct 1, 2015	Oct 1, 2016	Oct 1, 2017
Under 1	60	63	69	72	65	72	61
1-2	95	135	140	164	163	122	131
3-5	141	164	179	192	163	164	131
6-10	202	215	251	269	259	213	204
11-15	290	249	259	276	255	212	210
16-17	191	166	169	178	174	167	155
18-21	49	116	181	236	231	227	206
Missing	.	.	.	.	.	.	.
Total	1,028	1,108	1,248	1,387	1,310	1,177	1,098

Data Source: CWS/CMS 2017 Quarter 3 Extract.
 Program version: 2.00 Database version: 6CDFB9C3
 Please consult the methodology for detailed placement type definitions.

Santa Clara County
 Children in Foster Care
 Agency Type=Child Welfare

10/1/2017 By Placement Type

Age Group	Placement Type														Total		
	Pre-Adopt	Relative/ NREFM	Foster	FFA	Group	Shelter	Non- FC	Guardian - Dependent	Guardian - Non- Dependent	Runaway	Trial Home Visit	SILP	Transitional Housing	Other		Missing	
Under 1	n	n	n	n	n	n	n	n	n	n	n	n	n	n	n	n	61
1-2	2	59	52	18	.	.	.	.	.	.	.	.	.	.	.	.	131
3-5	4	65	33	26	.	.	.	.	.	.	.	.	.	.	.	.	131
6-10	7	83	52	44	2	.	.	9	7	.	.	.	.	.	.	.	204
11-15	1	44	40	41	64	.	3	2	6	7	.	.	.	2	.	.	210
16-17	.	28	21	7	55	.	6	4	6	12	.	.	13	3	.	.	155
18-21	.	3	5	7	7	.	5	1	1	1	.	102	67	7	.	.	206
Missing	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Total	14	306	232	150	128	.	14	18	21	20	.	102	81	12	.	.	1,098

Data Source: CWS/CMS 2017 Quarter 3 Extract.
 Program version: 2.00 Database version: 6CDFB9C3
 Please consult the methodology for detailed placement type definitions.

**Santa Clara County Juvenile Justice Commission
Group Home Visit Report**

Basic Information

Facility Name: _____
Address: _____
Contact Person: _____ License Type: _____
Phone Number: _____
Date of this Visit: _____
Commissioners Present: _____
Fire Inspection Report: Yes No Date: _____
CCL Data Reviewed: Yes No Date: _____

Facility Capacity: _____ Current Population: Age range of juveniles: _____
Juveniles' home counties: _____
Emergency Plan: Yes No Date of Last Drill: _____
Comments: _____

Staffing

Number of Staff: _____
Background/education: _____
Training provided for staff: _____
Staff to minor ratio: Awake: _____ Sleeping: _____
Impression of staff and minor interactions: _____

Condition and Safety of Grounds and Building Exterior

Description/condition of property: _____
Exceptions Noted: _____

Condition, Cleanliness, and Safety of Interior of Building

Common Areas: Acceptable Unacceptable: _____
Kitchen: Acceptable Unacceptable: _____
Bedrooms: Acceptable Unacceptable: _____
Bathrooms: Acceptable Unacceptable: _____
Garage: Acceptable Unacceptable: _____
Hot Water Heater/Heating/Windows: Acceptable Unacceptable: _____
Smoke Alarms: Acceptable Unacceptable: _____
Storage of Cleaning Fluids/Chemicals: Acceptable Unacceptable: _____
Recreation/Sports Equipment: Acceptable Unacceptable: _____
Study Area: Acceptable Unacceptable: _____
Adequate Lighting: Acceptable Unacceptable: _____

Intake and Individualized Plans

Intake process: _____
Oriented to the house rules and procedures: Yes No _____
House rules and grievance procedures posted: Yes No # Grievances last 12 months: _____
Individual Program Plan for each minor within 30 days: Yes No _____

Meals/Nutrition

Food supply ample and nutritious: Yes No _____
Menus posted: Yes No _____
Meals served family style: Yes No _____
Snacks and beverages available: Yes No _____
Special nutritional needs provided for: Yes No _____

Programs & Services

Recreation/Activities: Acceptable Unacceptable: _____
Exercise: Acceptable Unacceptable: _____
Access to Religious Services: Acceptable Unacceptable: _____
Access to Medical Services: Acceptable Unacceptable: _____
Access to Mental Health Services: Acceptable Unacceptable: _____
Individual Counseling: Acceptable Unacceptable: _____
Group Counseling: Acceptable Unacceptable: _____
Substance Abuse Counseling: Acceptable Unacceptable: _____
Other: _____

Discipline of Minors

Describe the discipline process of minors: _____
Comments: _____

School

Schools residents attend: _____
Students able to participate in school-based extra-curricular activities: _____
Access to Computers/Internet: _____
How truancy is handled: _____
Communication between school and staff: _____
Comments: _____

Interviewed Minors: Yes No _____

Observations and Concerns

Follow-up Recommendations

Commissioner(s) preparing this report: _____

Date: _____