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National Association of Public  
Child Welfare Administrators

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an affiliate of the American Public Human Services Association

## **Legislative Summary**

### **Draft Child Welfare Workforce Improvement Act**

Building on an initiative from her former colleague Hillary Rodham Clinton, Finance Committee Member, Senator Blanche Lincoln (D-AR) has drafted legislation with a goal of improving the nation's child welfare workforce through amending the Title IV-E program.

#### **National Survey & Regulations**

The draft legislation calls for the National Academy of Sciences to conduct a National Child Welfare Staff Study and report to the HHS Secretary the results, findings and any recommendations. The Secretary will share these with Congress. No later than 12 months from HHS receiving the report, the Secretary shall issue proposed regulations based on the report recommendations after consulting with child welfare administrators and staff and other appropriate stakeholders. After 24 months of receiving the report, the Secretary shall issue final regulations. Specifically, the proposed regulations will require states to collect data on child welfare staff that is linked to better outcomes for children. This data collection will be incorporated into the Adoption and Foster Care Analysis Reporting System (AFCARS) and the National Youth in Transition Database (NYTD). The bill authorizes \$5 million for the study.

Particularly, the draft proposal requests recommendation on training requirements, educational levels as well as appropriate workload and caseload for supervisors, managers and other front-line workers. Additionally, the draft bill requests recommendations on data collection systems and how they may be linked to achieve better outcomes for children.

The study will examine the demographics and characteristics of child welfare staff, such as salaries, academic degrees held, training received and turnover. Additionally, the study will look at the factors contributing to staff turnover and effective practices that reduce turnover. The study will focus on the different types of work, such as providing prevention services, protective services, foster care services, adoption services, and kinship care services. It will also examine working relationships between child welfare staff, legal staff and other related professionals.

#### **Removes Training Barriers**

The draft bill allows federal reimbursement for all training regardless of whether a worker provides services to IV-E foster care and adoption assistance children or not, guardianship assistance is not included in the delink. States may also use private resources as their match regardless of whether the resources were under the states' administrative control. An example of resources that the state can use as its match is short or long term training at educational institutions. States will be required to reinvest any of the savings from this provision into workforce improvements that benefit foster children.

#### **IV-E and B State Plan Requirements**

States must include a plan for an annual evaluation and assessment of training and staff development activities, including how this impacts participating staff and the children and families. This new requirement will go into effect on the 1<sup>st</sup> day of the 1<sup>st</sup> quarter on or after the enactment date. The proposal allows for a delay if states must enact legislation.

### **Child Welfare Workforce Demonstration Grants**

The draft proposal creates a Workforce Demonstration Program in which states may apply. These grants have two phases, planning and assessment phase and required implementation improvement phase. Phase one grants are awarded for a one-year timeframe and phase two grants are awarded for a period not less than four years.

### **Phase 1 of the Workforce Demonstration Grants**

Phase one first requires a state to establish a Quality Improvement Task Force, either through an existing group or a new entity. Members of the task force must include broad representation of groups that have a stake in child welfare workforce improvements. Members may include representative from public and private child welfare agencies, schools of social work and other educational institutions that prepare workers, court personnel, advocates as well as youth and parents. Where ever possible, researchers who have studied workforce issues may be included in the task force. The task force's role is to serve in a guiding role for the assessment of the state's workforce, as well as the development, implementation and ongoing monitoring of the improvement plan.

This phase includes an extensive statewide assessment of the workforce in three major areas, including child welfare staff accurately assessing and providing to the needs of children and families; the adequacy of resources for the staffs work with children and families; and the support to help connect workers to children and families. Included in each area are particular nuances in which the state must prioritize including training and mentoring, ongoing professional development, promotion, supervision as well as the manageability of caseload and workload. In additionally, the state must prioritize recruitment and retention efforts, oversight and accountability mechanisms and regular assessments of performance and the appropriate technological resources and the safety of the workforce. The state must assure that it will submit a report on the assessment, including findings and areas in need of improvement and goals to obtain that improvement. If a state has already conducted an assessment that meets the requirements under the legislation, they can request permission to by-pass the assessment.

### **Phase 2 of the Workforce Demonstration Grants**

Phase two requires states to implement a workforce improvement plan in accordance with the findings and recommendations from the assessment. The improvement plan would include a statement of goals including a description of the annual and interim goals for improving the state's workforce. States would also be required to describe how they plan to use funds to achieve the goals. Activities that may be funded under the phase two grants include training and technical assistance, data and technological resources, recruitment and retention strategies, oversight and accountability mechanisms, monitoring and evaluation mechanisms, community outreach activities and other activities intended to improve workforce.

State must include a description of the indicators that will be used to measure their progress and how the Child Welfare Workforce Quality Improvement Task Force may be involved in monitoring the progress.

### **Who May Apply for Grants**

State agencies that are responsible for administering IV-B and E, a Tribal organization or consortium, and a county with more than one million residence, but only if the state does not apply.

**Technical Assistance & Evaluation**

The National Child Welfare Workforce Institute shall provide technical assistance to states that receive grant awards. The Secretary may conduct evaluations of the demonstration program grants.

**Authorization of Funds for Grants**

The draft legislation authorizes \$1.5 million for the phase one grants for FY 2010 and \$5 million for the phase two grants beginning in FY 2011 through FY 2014. The Secretary may set aside 5 percent of the amount for technical assistance and evaluation proposes.

**Number of Grants Available & Match Requirements & Incentives**

The Secretary may award up to 15 grants for phase one not to exceed \$100,000 with the state providing a 25 percent match. Not more than 15 grants are available for phase two not less than \$250,000 for each year of the award. For the second phase states have a match of 10 percent the first year, 15 percent the second and 20 percent the third. For the fourth and fifth year, the match amount will be 25 percent.

If at the end of Phase two, the Secretary determines that a state has successfully achieved its workforce improvement goals, the state shall receive an increase of 3 percent for Title IV-E administration dollars.

**NAPCWA Concerns**

Child welfare administrators are currently reviewing the draft document

**Contact Information**

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