Honorable Chair, and members,

TITLE SLIDE

Thank you for the opportunity to present to this committee. This is the first opportunity in the panel’s 15 years history to be presenting to this Committee. Some of you may be familiar with the history of the panel, and its purpose. In fact, Sen. Coghill, then Rep. Coghill, sponsored HB 53 that instituted CRP back in 2005.

I am Diwakar Vadapalli, current Chair of the panel. It is my honor to be speaking to you in my last year as the Chair. I am stepping down at the end of June this year.

Before I begin, I would like to acknowledge Rebecca Vale, a member of the panel from Anchorage who is on the phone. She will be taking over as Chair of the panel on July 1; Margie Mc Williams, sitting in the audience, a member from Juneau. Other members of the panel are Dana Hallett from Haines. He has been the Vice Chair of the Panel for the last four years. Sonya Hull from Wasilla, and Bettyann Statiew from Anchor Point.

PRESENTATION OUTLINE

As I go through this presentation, on several occasions, I will mention several challenges the panel faced over the last four years, and the vision going forward.

HISTORY

Congress mandated CRPs through amendments to the federal Child Abuse Prevention and Treatment Act in 1996. Federal statute requires that all states have at least three panels, with some exceptions that were allowed to have one panel. Alaska and six other states fall within that category. Please note that there is only a minimum limit for the number of panels. In fact, there are more than 340 panels across the country.

Alaska CRP has been functional since May 2002, when OCS was still DFYS. By 2005, when HB 53 was passed, the panel had been producing its annual report, and conducting town hall meetings across the state. These town hall meetings later transformed into in-depth site visit reviews. I do not have historical records of its budget before 2005. A fiscal note accompanying HB 53 identified $64,300 for CRP that included a half-time position and money for member travel expenses. An OCS staff person was assigned half-time to support the panel’s work between 2002 and 2005.

Beginning in 2005, a private consulting firm was contracted by OCS to provide staff support for the panel. The entire CRP budget, including the money for its members travel, is routed through that contract. The panel’s current annual budget has increased to $100,000.

All members are volunteers, and together we contributed about 2000 hours each year towards the panel’s work. It has always been a small panel with no more than 9 members at any time.

FUNCTIONS – MANDATES

The panel is a statutory body, with a very broad mandate. Language in the Alaska state statute is almost a mirror image of the federal statute. Key words are highlighted in red.

First – the A CRP’s focus is the policies, procedures, and practices of state and local CPS agencies. In Alaska that is the Office of Children Services.

Two functions are clear from these statutes - Evaluate, and conduct public outreach. A third function, advocacy, is not mentioned in the statutes, but was discussed during the debates in Congress in 1996 when the amendments to CAPTA were being voted upon.

FUNCTIONS

Therefore, the central focus of Alaska CRP’s activities are the policies, procedures, and practices of OCS.

The panel has three specific functions – review, outreach, and advocacy.

Review/Evaluate: The statute identifies three standards against which such an evaluation should be conducted – States’ CAPTA Plan, CPS Standards, and any other criteria. While the first two are rather clearly defined, the third one really opens up any component of OCS operations for review by the panel.

Outreach: Collect public opinion to assess the impacts of OCS policies, procedures, and practices on children and families – such assessment should inform the CRP review above.

Advocacy – make recommendations for relevant changes in CPS policies, procedures, and practices. Beyond that, advocacy is a slippery slope for CRPs.

CENTRAL PURPOSE

From the statutes, congressional record, available published literature, and numerous discussions with other panels across the country, it is clear that:

CRPs exist to help CPS agencies. Congress recognized that CPS agencies across the country were growing more insular from the populations they serve. Public participation in these systems was seen as a necessary reform.

To that effect, Congress created CRPs to be those mechanisms for public participation, or community engagement, in child protection. CRPs are the only statutory mechanisms with that specific purpose. They are expected to facilitate robust and meaningful participation of citizens in diverse roles, to assist the state’s child protection system in being more responsive to the needs of the families and communities of the state. Congressional record is clear that CRPs are to provide, and I quote, “regular citizens, not just child protection bureaucrats”, end quote, an opportunity to set policy and suggest best practice.

Again, the central idea is, with input from citizens that are being served and the larger community, OCS’s policies, procedures, and practices will be more responsive to the citizens’ needs.

OCS Mission

OCS is a complex agency with a difficult job. Its mission, as mentioned on the agency’s website, is to “work in partnership with families and communities to support the well-being of Alaska’s children and youth. Services will enhance families’ capacities to give their children a healthy start, to provide them with safe and permanent homes, to maintain cultural connections, and to help them realize their potential.” The key words are highlighted in red.

The CRP’s purpose is to bring forth voices and opinions of those families and communities. There is obvious synergy here between this mission statement, and congressional intent behind CRPs.

From this mission statement, it is clear that OCS is a service agency, trying to serve families in difficult circumstances. Not a police agency watching over parenting practices. CRP’s role is to help OCS devise services that meet the needs of the families and communities it is mandated to serve. Specifically, by channeling input from them to OCS.

OCS – SIGNIFICANCE

However, OCS faces a constant dilemma. As the Ombudsman’s report in 2012 states, and I quote, “With the exception of the criminal justice system, which may take one’s money, one’s freedom and, in some states, one’s life, it is difficult to imagine a more fear-inspiring authority than the power to take away a person’s children.” This power gives OCS an aura of a police agency. How that power is exercised and leveraged is key to its success.

OCS is entrusted with an awesome power and huge responsibility. This power and responsibility are exercised by frontline workers and their supervisors. They face many difficult and traumatic choices that can mean a lifetime of good or bad for a child and her family. A lot of good is done, more than we get to hear in the news. But, like all of us, OCS workers too make mistakes. Except, their mistakes can be very expensive.

This is why, as OCS mission statement says, partnerships are important, and thus the CRP, which is the only statutory agency set up for that specific purpose, is an important forum for those partnerships to flourish.

WHAT CRP DOES NOT DO

I hope the last few slides made the role of a CRP and its functions clear to you. I often find it easier to list the things the CRP does not do, than to explain what it does.

As I said, although advocacy was mentioned in congressional record, it was not part of the statute. Therefore, Alaska CRP walks a fine line on advocacy, and refrains from commenting on any proposed or pending legislation.

It is important to note that CRP is set up as a systems-level review mechanism. It has no role in individual cases, contracts, or situations. This is key because, there is a lot of room for confusion here. Many times, CRP is approached with requests to intervene in cases or contracts. CRP has the statutory authority to review individual cases or contracts, but it should do so with a systems-perspective, not to revise decisions in any one individual situation.

Along the same lines, CRP does not micromanage OCS. For example, CRP cannot handle complaints against case workers or supervisors.

Another important thing – CRP is not set up to conduct program evaluation. It evaluates the procedures and practices of OCS as stated in its own policies, and other legal statutes. It is a broad, systems-level evaluative function.

The panel does not lobby either against, or on behalf of OCS.

CRP- A STATUTORY INSTITUTION

**The CRP is an institution, with a statutory role and responsibility.**

**It is an organization of the state.**

**It facilitates citizen participation.**

**It must cultivate a critical, but constructive lens.**

**It exists to help OCS by channeling critical but constructive input from families and communities to OCS.**

**Its success depends on its relationship with OCS, a relationship that ensures meaningful recommendations from CRP and carefully considered response from OCS.**

**This is a delicate relationship that needs clear structure, and continued nurturing.**

OCS OFFICES

This is the lay of the land for CRP. These are the five OCS regions, and its field offices. The field office in Unalaska was closed in 2011, and Galena’s office was flooded in 2014 and since been closed.

CRP ANNUAL CALENDAR

This is a typical CRP calendar, this one is from the last fiscal year. Alaska CRP begins its year with a fall retreat in August/September to identify its annual work plan. Each year, the workplan identifies a set of goals, and the annual calendar that includes meetings and travel.

CRP is required to meet at least once a quarter. All its quarterly meetings are open to public. These are public working meetings, for citizens to witness the work of CRP. Each quarterly meeting has a 20 minute slot for an invited guest to speak to the panel.

The panel meets with OCS leadership (Director and the Division Operations Manager) every month between October and June. These meetings are not open to public. These are meant to build relationships, discuss various policies, specific initiatives, and other details of CRP work.

The panel conducts site visits every year. A small group (2-4) members of the panel visits a regional or field office to collect input from OCS workers in the field, various stakeholder partner agencies, and individual foster parents. The panel does not have a systematic way to reach birth parents or foster children.

In addition to presenting to the legislature every year, the panel presents to other interested and relevant groups such as ICWA workers, CJA Task Force, CIP, etc.

2015-2016 WORK PLAN

This was the workload during the last fiscal year.

GOALS 2015-2015

Each goal listed here was picked due to the relevance and importance of that goal at the time. The annual workplan goes into considerable detail on reasons for identifying each goal.

These goals were pursued through the year, through policy review, data analysis, discussions with more than a 100 individuals in key positions across the state, and the OCS leadership. In the next few slides I will present recommendations from these goals.

RECOMMENDATION 1

OCS and the numerous tribes in Alaska have a very complicated relationship. This has been evolving over the years. In 1994, a group of leaders from various Alaska Native tribes and OCS established the Tribal State Collaborative Group (TSCG) as a forum to build OCS-Tribal relationships, and to address many differences. In recent times, OCS-Tribal relationships have further evolved. Most recently, a strategic plan for “Transforming Child Welfare Outcomes for Alaska Native Children” was prepared and released in mid-2016. This plan identified six priority areas. Most notably for CRP, “Community Engagement” is one of the six. Several objectives were identified under this priority area.

It is important to note here that the CRP has been focused on OCS-Tribal relationship for several years. Specific recommendations in past years suggested that OCS should better structure the relationship of OCS workers and tribal ICWA workers. Every year the CRP surveys ICWA workers about their relationship with OCS workers.

It is also important to note here that CRP is not just a review mechanism. It has a substantial outreach and community engagement responsibility.

CRP was invited to participate in a visioning session for this strategic plan in May 2015, during the early stages of this plan preparation. The panel was not invited to any subsequent discussions until the plan’s release. The plan simply does not mention CRP. While the CRP applauds the effort, and the vision this plan represents, the irony of ignoring an existing statutory mechanism for community engagement cannot be lost. Thus this recommendation.

In response, OCS invited CRP to participate as a stakeholder in any of the six priority areas, and committed to keeping the panel informed of the proceedings on each of the areas. This is a welcome development. However, this leads to another challenge. CRP is not a stakeholder that can dial in when it is interested. It is a mechanism with a statutory duty to facilitate dialogue between a section of stakeholders and OCS. CRP as a stakeholder is a mischaracterization. A more meaningful approach would be to identify an appropriate and specific role for CRP to implement sections of this plan in partnership with others leading this effort. That is the central point of this recommendation. If the CRP does not have the capacity to fulfill the identified role, its capacity needs to be enhanced.

Recommendation 2

I am sure we all can agree that, despite all the negative press coverage about OCS, child protection needs additional resources. In difficult budget times, every leverage must be employed. This recommendation simply acknowledges the assets tribal partners can bring to the table, and for OCS to leverage their partnerships to this end.

Recommendation 3

Despite numerous hours by volunteers and good faith effort by many involved over the years, the CRP has been an afterthought for a long time. There is no oversight over the CRP, or its relationship with OCS.

The panel existed without a set of policies or bylaws for 13 years. The panel had been in violation of the state’s sunshine laws until January 2015. While the 2005 statute asks the DHSS Commissioner to institute regulations, it was never done. With no regulations, or operating procedures or policies guiding actions of its members, staff, or OCS, there are continued confusion, uncertainty, and unclear expectations.

There is no oversight over CRP, nor was there any evaluation of its work. That is a double-edged sword – the CRP may or may not be doing its job, or OCS may or may not be responding adequately. This leads to erosion of accountability of the entire mechanism, and fails the congressional and legislative intent of having a CRP, which is to help OCS to be more responsive to community needs. Effective oversight mechanisms over the CRP enterprise would be either the legislature or the general public and stakeholders impacted by OCS’ policies, procedures, and practices. While the panel continues to meet with individual senators every year, as I mentioned earlier, this is the first time in fifteen years that CRP had an opportunity to present to the Senate HSS Committee. The only statutory requirement that is monitored by the federal government (since it is a congressional mandate) is the production of its annual report, and a response from OCS. The quality of either documents is never assessed. The panel rarely receives any queries or requests for clarifications of its work or its recommendations. While its recommendations are not legally binding on OCS, they can result in meaningful action only through legislative oversight of the process.

Since the CRP could not generate greater interest from OCS, DHSS, or the legislature, it set out to conduct an evaluation of its own structure and its relationship with OCS. There are many areas for improvement. The ones shows are the most significant ones.

The state is required to provide adequate staff support for the panel, and it does so by allocating $100,000 of its general funds each year. This funding is routed through OCS budget, with OCS/DHSS having the authority to expand or contract the budget as the agency sees fit. In essence, the panel reviews the policies, procedures, and practices of an agency that controls its budget. This arrangement, by definition, is not wrong or impossible to work with, as long as the purpose and role of CRP is clear. However, due to continuing lack of clarity in expectations and in the absence of any regulations, this arrangement leads to avoidable conflicts of interest. Moreover, routing the entire CRP budget through a private consulting contract creates difficult ethical dilemmas for the contractor. A series of such dilemmas led to an unpleasant transition in staff support during the summer of 2016, causing considerable delay in panel’s work for 2017.

This is not to dispute OCS’ claim that it worked collaboratively and respectfully with CRP over the years. This recommendation is pointing to the need to assess effectiveness of such collaboration and respect. Neither can replace effectiveness.

Recommendation 4

CRP and OCS had been discussing the staff survey since 2012. In 2015, OCS asked the CRP to conduct it. The CRP leveraged a graduate class I teach at UAA, and conducted the survey and compiled the results. Unlike the past years, results were reported separately for frontline workers and other staff at OCS. With around 30% turnover among frontline workers consistently for over 15 years, it is important to understand the perspective of the frontline workers.

Since this was the first time an external entity was conducting its staff survey, OCS requested we do not ask any additional questions than already being asked in the old survey.

The survey results document was released in July 2016. Main findings of the survey include:

* Workers hold their immediate supervisors in very high regard.
* Workers felt that the community at large do not understand the purpose and work of OCS.

The recommendations on the slide were made based on several other findings, to improve the survey efforts. This survey asked several questions about training provided to OCS workers. But, all training-related questions are focused on a 2-3 week training they receive from the Child Welfare Academy shortly after signing up for their job. Scientific evidence is clear that it takes about two years for a new frontline worker in child protection to learn their job well. This implies, structured training opportunities should be available throughout the first two years of a new hire, and beyond. Many such opportunities may be available. However, the current survey does not allow collecting information about those. As a result, the survey paints a very limited perspective of workers’ training needs and the actual training they obtain.

In response to the first bullet, OCS says there are many training opportunities for OCS workers after they complete their initial training, and “it knows” that workers struggle with “transfer of learning” from training to field. This is contradictory because, one of central purposes of on-the-job training is to help with improve transfer of learning. This recommendation is asking OCS to verify if available on-the-job training opportunities are helping to the extent they should?

The current survey is already long, and many aspects of a workers life at OCS are not covered by it. It is not clear if there are other surveys or other mechanisms through which OCS leadership collects this feedback. One of the findings from this year showed that feedback channels from frontlines to the leadership need to be improved. Thus, the second bullet point.

OCS conducts stakeholder surveys with foster parents, Alaska Native tribes, and other service providers. Results from all these surveys are similarly documented – basic question-by-question summary of results. It is not evident that any in-depth analysis is conducted to inform policy or practice. Since resources are scarce, the third bullet suggests leveraging entities such as CRP to conduct such surveys.

OCS resumed conducting its own staff survey this year. The CRP will request data from the survey to conduct analysis.

RECOMMENDATION 5

Over the last four years, as the Chair, I focused on clarifying the purpose of CRP. The panel had lengthy deliberations over the last four years, reflecting on its role and purpose. After extensive conversations with many across the nation, and review of congressional record, past documents of CRPs across the nation, scholarly literature, and other documents published over the years since the early 90s, it became clear that the panel is a mechanism for public participation. It is not just a watch dog group that raises alarm at every perceived mistake that OCS may make. It has a more complex mandate.

It is the responsibility of the panel to provide a forum for informed, thoughtful, and constructive dialogue among stakeholders, primarily the families and communities served by OCS. It should do so through its review, outreach, and advocacy functions. This can be done. However, it requires a structured relationship with OCS. It needs enhanced capacity that this structure would bring. While additional funds can help, funding will not resolve all challenges. The current budget of $100,000 can be stretched much further with a more structured relationship.

That is the central point of this recommendation. In response, OCS cites CRP’s current lack of capacity for not relying on CRP, but ignores the idea of enhancing CRP’s capacity for OCS to be able to rely on it.

Goals for 2016-2017

As you may have noticed, the CRP often ends up not being able to complete its work on some of the goals. Most often, it is because the panel did not have all the information and data it needs to adequately assess the practice or policy on a particular goal. These goals the panel adopted for this year may not be accomplished as planned. The panel is behind on its planned site visits. Much of this delay is for two reasons – the panel had a considerable delay due to change in staff. The second reason is – the panel is hosting the next National CRP Conference in Anchorage this May.

GRAND JURY INVESTIGATION

As you may be aware, Rep. Wilson called for a Grand Jury investigation of OCS. The Grand Jury concluded that it is the CRP’s statutory responsibility to be conducting such a review. The panel received all materials from the grand jury. In addition, we are compiling information from all public hearings recently held by Rep. Wilson.

This review will be a major challenge for the panel’s current capacity. As you can see, the panel plans to release an action plan by June 30th with regard to this review.

Anticipated changes

I mentioned the lack of capacity. Again, capacity not in dollars. The panel needs more volunteers that can perform various tasks. It needs a better recruitment and retention strategy. It needs more instrumental partnerships with similar review bodies. There are about 10 different review mechanisms that oversee one or the other aspect of OCS. The panel needs to gain visibility and trust among the general population. Everyone needs to understand the role and responsibility of CRP. And in turn, hold CRP accountable for its work.

More importantly, the misperception that CRP is a watch dog agency must be corrected. It needs a reorientation as a mechanism for public participation and community engagement in child protection. The panel has been discussing this with OCS, and we set ourselves a three-year timeline to achieve this. We wish to adopt a participatory evaluation framework with those elements on the slide.

In addition to all that, the panel needs support from the legislature. I hope that the panel will be invited back every year to present its findings. This is important to not only provide a public forum for constructive dialogue, but also to hold the CRP accountable.

There are very few restrictions on who can volunteer for CRP. Being a legislator is not one of them. If you do not have the time, you may know others that might be a good fit.

LAST SLIDE

To help with visibility in Alaska, and to improve our collective understanding of CRP, the Alaska CRP is hosting this years’ National CRP Conference. It goes without saying that you all are invited. Registration is open now. We hope to see you all there.

Thank you for your time.