



A Tradition of Stewardship
A Commitment to Service

NAPA COUNTY GRAND JURY

2010-2011

Final Report on

**NAPA COUNTY CHILD WELFARE
SERVICES**

TOO MANY KIDS, NOT ENOUGH HELP

TABLE OF CONTENTS

Letter to Presiding Judge	
Letter to the Citizens of Napa County	
Napa County Child Welfare Services: Too Many Kids, Not Enough Help	
Summary	1
Background	2
Discussion	3
i) Lost in Translation	2
ii) A Chronic Shortage	3
iii) Merit System Services Hiring Procedures	3
iv) Staff Training and Communication	4
Findings	5
Recommendations	6
Request for Responses	6
Glossary	6
Methodology	7
Appendix	8
i) Child Welfare Services Organizational Chart	
ii) Case Load Summary, December 2008-2010	
iii) State Laws Regarding State Personnel Board and Merit System Services	



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NAPA COUNTY GRAND JURY
P.O. BOX 5397
NAPA, CALIFORNIA 94581

June 12, 2011

The Honorable Diane M. Price
Presiding Judge
Superior Court of the State Of California
County of Napa
825 Brown Street
Napa, CA 94559

Re: 2010-2011 Grand Jury Final Report on Child Welfare Services Division

Dear Judge Price,

Pursuant to Sections 933 (a) of the California Penal Code, the 2010 -2011 Napa County Grand Jury submits to you its final report on the Napa County Health and Human Services' Child Welfare Services Division. Our investigation of this subject was conducted in a manner consistent with the California Penal Code, this Court's Charge, and the historic role of the Grand Jury, to protect the interests of the residents of Napa County.

This is the eighth in a series of final reports we will be issuing before the term ends. I would like to acknowledge the hard work and dedication of the Grand Jurors, which our report reflects. It is a privilege and pleasure to work with them.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith Bernat".

Judith Bernat
Forewoman
2010-2011 Napa County Grand Jury



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To the Residents of Napa County:

In order to fulfill the Grand Jury's mandate to investigate all local government agencies, to assure they are being administered efficiently, honestly, and in the best interest of Napa County residents, the 2010-2011 Grand Jury investigated the Napa County Health and Human Services' Child Welfare Services Division.

The Grand Jury has carefully investigated this matter and developed a set of findings and recommendations with the objective of representing the public interest.

The Grand Jury found that eight caseworkers employed by Napa County Health and Human Services carries an average caseload of 25 to 30. This is approximately a 40% increase in caseload size within the past two years.

It was also discovered that the Merit System Services, currently used by Napa County Child Welfare Services for its hiring process, is outdated and rigid.

The Grand Jury recommends that bilingual caseworkers be given priority when considering new hires; Child Welfare Services explore how community groups can help promote awareness of the need for foster homes; that Child Welfare Services work with the Napa County Human Resources Department to replace the Merit System Services with the Napa County Human Resources system; and that a program is made available to foster parents providing intervals of respite in conjunction with Child Welfare Services.

The Napa County Office of County Counsel has reviewed this final report. The Napa County Superior Court Presiding Judge, pursuant to California Penal Code Section 933 (a), has found that this report complies with California Penal Code Part 2 Title 4. This report has been accepted and filed as a public document by the County Clerk.

Copies of this report are available for review in the Napa City-County Library and online at www.napa.courts.ca.gov. Follow the link to Grand Jury.

We hope you find this report informative.

It is an honor and privilege to serve on the 2010-2011 Grand Jury.

Respectfully submitted,

The 2010-2011 Napa County Grand Jury

NAPA COUNTY CHILD WELFARE SERVICES

Too Many Kids, Not Enough Help

SUMMARY

As mandated by California Penal Code Section 925, the Napa County Grand Jury investigated Child Welfare Services (CWS), a division of Health and Human Services (HHS). This vital division was last reviewed by the Grand Jury in fiscal year (FY) 1986-87. A number of the same challenges facing CWS some 25 years ago still exist today. For the purposes of this report, “Child Welfare Services” and “Foster Care” are used interchangeably.

While the population in general, and the Hispanic population in particular, has increased over time, the number of both foster homes and CWS caseworkers has declined. The case load has increased from 115 in December 2008 to 187 in December 2010. (See Appendix I) This equates to 25-30 cases for each caseworker versus 12-18 cases per caseworker a few years ago. This workload is made more difficult due to the high percentage of children and parents who are Spanish speaking. Two caseworkers are certified bilingual and three foster homes out of 40-45 include bilingual parents.

The respite program, which provides relief to foster parents, is inadequate. A more robust program would help current foster parents cope with their arduous task as well as aide in the recruitment of new foster parents.

Because of the shortage of foster care homes available in Napa County, roughly 20% of foster children are placed outside of Napa County. However, CWS is making a concerted effort to place them with extended family members and is having some success with this endeavor.

Training and better communication among management, supervisors and staff at CWS will make an already professional division better able to handle its difficult job and would improve morale.

The County’s utilization of Merit System Services (MSS), a state-wide employment service, has proven to be a hindrance to the hiring process. The rigid and outdated methods of the MSS have blocked HHS’s efforts to recruit the best qualified candidates for open positions.

BACKGROUND

Child Welfare Services consists of a director, assistant director, and supervisors responsible for the following sections:

- Foster Care Licensing/Guardianship
- Emergency Response Services
- Dependency Investigators/Visitation
- Continuing Services/Family Preservation
- Clerical Support
- Analysts/Independent Living Program

The Grand Jury last reported on Child Welfare Services in fiscal year (FY) 1986-87. In subsequent years the number of CWS caseworkers declined. The number of foster homes and parents fell roughly 40% while the number of children needing foster care increased significantly. The economic downturn of the past few years and inadequate time devoted to recruitment of foster parents have also contributed to this decline. Of the approximate 140 children in foster care, approximately 20% are currently being placed out of the County due to the lack of foster homes and parents.

The 2010-2011 Grand Jury found managers, supervisors, and caseworkers to be well educated and committed to their work. However, there are several other areas of concern that have persisted since the last Grand Jury report. The respite program is inadequate, caseworkers believe there is a lack of support from management, and the training programs are underdeveloped.

DISCUSSION

Lost in Translation

According to the May 2009 State of California, Department of Finance, E-3 Race/Ethnicity statistics for Napa County, between 2000 and 2007 the Hispanic population of Napa County increased by approximately 50%. There are roughly 20 staff members of the Child Welfare Services “line staff,” of which only two caseworkers are certified as bilingual. Clerical workers with the Foster Care Division are regularly called upon to assist non-Spanish speaking caseworkers with translation. Although these clerical workers may have working knowledge of the situations that present themselves to caseworkers, they lack the specialized training necessary to professionally translate between parents who are solely Spanish speaking and caseworkers.

Of the 40-45 foster care families currently in the County, only three are bilingual. Approximately 50% of all foster children are Hispanic, most of whom are bilingual. It is the parents, rather than the children, who tend to only speak Spanish. A social worker’s

(SW) or child protective services worker's job is difficult and complex enough without having the additional barriers of language and culture limiting communication.

A Chronic Shortage

The FY 1986-87 Grand Jury report stated that there were 72 foster homes. Twenty-five years later that figure has fallen to the low 40s. The current number of available foster homes is even lower. Concurrently, the number of foster children increased from the low 70s in 2008 to approximately 140 in 2010. This situation has been exacerbated by the downturn in the economy. Child Welfare Services presently has only one SW who has responsibility for the recruiting and licensing process of the foster homes.

There are not enough foster parents and foster homes in Napa County. A consensus among both management and staff is that active foster parents make the best recruiters. However, coordination and focus on this on-going problem must come from CWS itself. More attention needs to be given to the recruitment process. Child Welfare Services could look to community groups to aid them with this task. This would address one of several concerns that has been present since the 1986-87 Grand Jury report.

Foster parents themselves need additional assistance. There is no formal respite program to provide relief during stressful times. Such a program would allow breaks for foster parents from their parenting duties, whether for personal errands or for a much needed day off. Trained volunteers could provide transportation, tutor foster children, or provide child care.

Child Welfare Services is making a concerted effort to place foster children with extended family members. The rate of placement has risen from 5% to 30% in recent years. Over the past two years the number of children placed in foster homes has almost doubled. Each caseworker now carries an average caseload of 25-30 cases whereas a few years ago the caseload was 12-18 cases per caseworker. As a result of this increased caseload, individual children may receive less attention. Over time, caseworker morale is affected and fatigue sets in. Compounding the current situation is the fact that three social workers have left CWS this year. Although management is actively pursuing replacements, this is a lengthy process and it will take the new hires time to gain an understanding of local policies and procedures (P&P).

Merit System Services Hiring Procedures

In the Grand Jury's investigation into the lengthy and elaborate hiring process, it was found that the primary hindrance to a smooth and efficient procedure is Merit System Services. Merit System Services is a state-wide personnel recruiting system used by many California counties. Some Napa County agencies rely on federal funding that requires the State to develop and maintain a Merit System that adheres to Federal employment policies as a condition of funding. Therefore, some classifications/positions

within HHS are subject to these government rules and regulations. Merit System Services, overseen by the State Personnel Board, includes hiring, training, discipline, appeal, grievance, and other human resources rules, processes and regulations that are separate and distinct from the County's personnel rules. When the mandated Merit System Services came into being for certain employee classifications, counties were given the option of creating and administering their own Merit System, with State approval and audit, or piggybacking on the State's program. Opting out of the State administration would require additional County Human Resources personnel to create and administer the Merit System at the County level.

All caseworker positions in CWS fall into this group of classifications and are therefore hired under MSS. The only role Napa County Human Resources (NCHR) plays in hiring caseworkers is to post position announcements on the County website with instructions for candidates to apply through Merit System Services. If MSS has an existing list of eligible social workers, those names are forwarded without opening the position to new recruitments. A qualified and/or local candidate who is not on the MSS list submitted to HHS is not "eligible" to be interviewed by CWS.

If MSS does not have an existing list of applicants, a recruitment list is opened, although often for only one to four days or until 30 applicants apply. Merit System Services reviews the applications for minimum qualifications, schedules a written exam, provides a list of questions for the oral exam, ranks the candidates, and then forwards only the first 10 names to HHS administration for final interviews and selection.

Napa County Human Resources provides recruitment and hiring services for all other Napa County agencies and departments. Since MSS doesn't advertise positions, that function is done by NCHR. The County is maintaining two different hiring systems with two different sets of rules. It was expressed that HHS would benefit by receiving a wider range of candidates if all hiring could be done by NCHR.

At first it appears that MSS, at a cost to Napa County of \$2,000 per year, is a bargain. However MSS has put an undue burden on CWS's effort to fill current vacancies within the division. Its antiquated employment processes and lack of flexibility hinder finding the best candidates for open positions. In addition, the length of the applicant screening process is mandated by MSS and adds two to three months time to the hiring process.

The Grand Jury recommends that the County appeal to the State Personnel Board to begin the process to remove Napa County from MSS.

Staff Training and Communication

While access to policies and procedures and other training tools has improved with the implementation of the SharePoint Services program [see glossary], there is a need for a formal, continuing educational program for both current and newly hired staff. No formal orientation process specific to Napa County P&P exists for CWS workers.

Highly educated, articulate and committed to their jobs, caseworkers often feel they lack proper guidelines about how to proceed in a given situation. Although management, supervisors and staff meet on a regular basis, a formal and focused agenda devoted to open communication and ongoing education of CWS personnel is lacking. Employees need to be updated on a regular basis and attendance at continuing education programs would not only be helpful as related to their caseloads, but if required could then be documented in personnel files.

Another issue that continues to be a problem centers around communication within CWS. The Grand Jury found, through its interviews with both managers and employees, a high degree of knowledge and devotion to the complex and important work that they do. Moreover, the supervisory staff, who oversee the different sections of CWS, have gained a degree of experience and competence over the last three to four years. However, the Child Welfare Services overall performance has been and still is affected by a chasm that exists between management and staff. A number of caseworkers believe that management and supervisors alike are not supportive enough in their day-to-day guidance. Often when confronting difficult situations requiring supervisor guidance, caseworkers believe they are left on their own.

FINDINGS

The 2010-2011 Grand Jury finds that:

- F1. There are eight caseworkers employed by Napa County Health and Human Services carrying an average caseload of 25-30. This is approximately a 40% increase in caseload size within the past two years.
- F2. The number of foster homes has declined by 40% since the late 1980s.
- F3. There are two caseworkers certified as bilingual.
- F4. The recruiting and licensing process for new foster care homes and parents is assigned to one social worker.
- F5. The Merit System Services, currently used by Napa County Health and Human Services for its hiring process, is outdated and rigid.
- F6. A timeframe of three to six months is required to complete the hiring process for a new caseworker.
- F7. Although improved from previous years, communication and trust between caseworkers, their supervisors and management continues to be insufficient.

- F8. There is no formal respite program to provide intervals of relief for foster care parents.

RECOMMENDATIONS

The 2010-2011 Grand Jury recommends that:

- R1. The Health and Human Services continue their efforts to hire qualified bilingual caseworkers.
- R2. The Child Welfare Services explore how community groups can help promote awareness of the need for foster homes and develop programs to reach out to these groups.
- R3. A program be made available to foster parents providing intervals of respite in conjunction with Child Welfare Services.
- R4. The Health and Human Services Agency work with the Napa County Human Resources Department to replace Merit System Services with the Napa County Human Resources Department.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the Grand Jury requests responses to as follows from the following:

Individuals:

- Health and Human Services Director: F6, F7, F8; R1, R2, R3, R4
- Child Welfare Services Director: F1, F2, F3, F4, F5, F6, F7, F8; R1, R2, R3, R4
- Napa County Human Resources Director: F5; R2, R4

GLOSSARY

case - one or more children

caseworker - includes social worker or child protective services worker

CWS - Child Welfare Services

Foster Care - a term used interchangeably with Child Welfare Services (in this report)

HHS - Health and Human Services

MSS - Merit System Services, a state-wide employment service

NCHR - Napa County Human Resources

P & P- policies and procedures

respite – an interval of rest or relief for foster parents

SharePoint Services – software program that enables CWS workers to share information, manage documents and publish reports

SW - social worker

METHODOLOGY

Information for this investigation was gathered through interviews, document analysis, and Internet research.

Interviews Conducted:

- Napa County Child Welfare Services personnel
- Napa County Human Resources personnel
- Napa County foster parent

Documents and Websites Reviewed:

- Child Welfare Services Budget, 2010-2011
- Child Welfare Services Caseload Summary, December 2008-2010
- Child Welfare Services Organization Chart, March 2011
- Foster Care Program, Napa County Grand Jury Report, 1986-87
- Letter from Shared Vision, November 2008, delineating recommendations from the organizational development assessment.
- Napa County Health and Human Services Agency, Policies and Procedures
- SEIU Local 1021, October 2008 letter to the Director of Health and Human Services regarding union members' concerns.
- Social Worker Orientation and Training binder

- State of California, Department of Finance, E-3 Race/Ethnicity Totals in Napa County, May 2009
- www.countyofnapa.org
- www.mss.ca.gov

APPENDIX

- I. Case Load Summary, December 2008-2010
- II. Child Welfare Services Organizational Chart, March 2011
- III. California Government Code Sections 19800-19810

FosterCare

Caseload Summary

December 30, 2010

	ER Investigation	ER Cases	ER Totals	FM Cases	FR Cases	PP Cases	OHC Totals	Ongoing Totals
December 2010	19	6	25	46	84	57	141	187
November	17	1	18	46	79	59	138	184
October	27	2	29	42	83	59	142	184
September	34	3	37	42	73	58	131	173
August	20	2	22	42	69	52	121	163
July	9	1	11	49	72	50	122	171
June	17	1	18	49	75	48	123	172
May	34	2	36	45	73	55	128	173
April	27	2	29	51	67	54	121	172
March	57	0	57	60	61	51	112	172
February	39	1	40	51	56	53	109	160
January 2010	32	0	32	60	50	51	101	161
December 2009	29	1	30	56	49	51	100	156
November	27	2	29	58	47	48	95	153
October	21	3	24	53	49	48	97	150
September	41	3	44	50	47	49	96	146
August	30	3	33	46	48	50	98	144
July	13	2	15	42	52	52	104	146
June	29	8	37	32	55	53	108	140
May	29	2	27	27	75	49	124	151
April	39	6	40	28	59	50	109	137
March	45	0	45	32	48	51	99	131
February	31	0	31	36	42	50	92	128
January 2009	45	0	45	37	32	52	84	121
December 2008	29	2	31	37	28	50	78	115

California Government Code Sections 19800-19810

Section 19800

The State Personnel Board is hereby vested with the jurisdiction and responsibility of establishing and maintaining personnel standards on a merit basis and administering merit systems for local government agencies where such merit systems of employment are required by statute as a condition of a state-funded program or a federal grant-in-aid program established under the following federal laws: Social Security Act, as amended; the Public Health Service Act; and the Federal Civil Defense Act, as amended.

Section 19801

For the purposes of administration of state or federally supported programs under Section 19800, the State Personnel Board shall, by regulation, establish and maintain personnel standards on a merit basis for local agencies (including therein standards of qualifications, competency, education, experience, tenure, and compensation) necessary for proper and efficient administration, and to assure state conformity with applicable federal requirements.

Section 19802

Nothing in this chapter shall prevent any local agency from establishing its own merit system and determining thereunder the personnel standards to be applicable to its employees, but as to employees engaged in administering state and federally supported programs under Section 19800, such local systems and standards shall be subject to approval and review by the board to the extent necessary to qualify for federal funds.

Section 19802.5

Notwithstanding the provisions of Sections 19801 and 19803, and after the State Personnel Board approves the memorandum of understanding standards, the State Personnel Board may waive administration of all or part of a local agency merit system where administration of merit system standards, including, but not limited to, certification, appointment and other transactions, layoff and reinstatement, position classifications, compensation standards, and disciplinary action are established pursuant to a legally binding memorandum of understanding negotiated between the local agency governing board and an employee organization recognized pursuant to applicable law representing employees engaged in federally supported programs under Section 19800. Upon request of the local agency governing board and the recognized employee organization, such

waivers shall be granted on any or all standards following determination by the State Personnel Board that the provisions of the memorandum of understanding maintain merit system standards to the extent necessary to qualify for federal funds. All merit system standards waivers shall be subject to periodic audit, approval, or revocation by the State Personnel Board. Upon revocation of a waiver, the State Personnel Board may require any additional information as a condition of waiver reinstatement.

Section 19803

The merit system for employees engaged in administering programs under Section 19800 in a local agency not administering its own merit system approved under this chapter shall be administered by the board. This may include, but is not limited to, recruitment, examination, certification, appointment and other transactions, position classification, compensation standards, and disciplinary actions. As part of such administration, the board shall hear and decide appeals of any applicant for employment or officer or employee from the decision of a local agency or the board's executive officer affecting the employment rights of such persons. Any decision rendered in such an appeal shall be binding upon the local agency.

The board may bill the state departments having responsibility for the overall administration of grant-in-aid programs for the costs incurred in conducting hearings involving employees of local agencies not administering their own merit systems pursuant to this chapter.

Section 19804

In the exercise of functions under this chapter, the board shall exercise no authority with respect to the selection, tenure of office and compensation of any individual employed in accordance with established standards.

Section 19805

The board shall by regulation, establish and administer procedures, including provisions for investigations and hearings, to determine whether a particular merit system is in conformity with the standards established or approved by the board pursuant to Section 19801. In conducting any hearing provided by such procedures, or in conducting an appeal hearing under Section 19803, the board shall have the same authority as it does in conducting hearings pursuant to Sections 18671 to 18680, inclusive, of this code.

Section 19806

When the board, after hearing, determines that a local merit system is not in conformity with the established standards, it shall notify such local agency and appropriate state officer in writing of its decision. If the governing body of the local agency does not bring the system into conformity within 60 days of notification of the board's decision, or within such longer period as the board determines, the board shall certify to the state officer having responsibility for the overall administration of the program, pursuant to which the grant-in-aid requiring such merit system was made, that the particular merit system is not in conformity with established standards.

Section 19807

Notwithstanding any other provisions of law, upon receiving certification of the board, pursuant to Section 19806, the appropriate state officer shall take such action against the local agency as permitted by law or as necessary to obtain compliance without an additional administrative hearing being held by such officer.

Section 19808

Local agencies shall provide such information and reports relating to merit system administration as are required by the board.

Section 19809

State departments having responsibility for the overall administration of grant-in-aid programs under Section 19800 shall reimburse the board for all costs incurred by the board in administering this chapter. The board may equitably prorate such costs among such departments.

Section 19810

As used in this chapter, "local agency" means any city, county, city and county, district, or other subdivision of the state, or any independent instrumentality thereof.