

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



August 13, 2007

ALL COUNTY LETTER NO. 07-30

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY PROBATION DEPARTMENTS
ALL PUBLIC AND PRIVATE ADOPTION AGENCIES
CDSS ADOPTIONS DISTRICT OFFICES

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by
One or More Counties
- Initiated by CDSS

SUBJECT: CHILD WELFARE SERVICES DISASTER RESPONSE PLAN

This All County Letter (ACL) is to convey new federal disaster response requirements contained in the Child and Family Services Improvement Act of 2006 for states to have procedures and plans that address the child welfare system's responses to a disaster for programs funded by Title IV-B and IV-E. This ACL establishes that counties are required to incorporate the new federal requirements within their local child welfare plans, and be operational by September 28, 2007. Minors in the probation system must also be included in the plan.

Background

The Federal Emergency Management Agency reported 48 federally declared disasters in 2005, including Hurricanes Katrina and Rita. In those two disasters, the area of child welfare services was severely disrupted and required immediate attention. Thousands of Louisiana's and Florida's children in foster care were dispersed to different states for shelter and safety needs.

The United States Government Accountability Office (GAO) also surveyed and reviewed the States' child welfare disaster response plans and presented its report to the Subcommittee on Human Resources, Committee on Ways and Means, House of Representatives, in July 2006. The GAO reported that without child welfare disaster response plans, states may be unprepared to provide continuity of services for their children and families who may be displaced to or from other counties or states. In addition, the state plans that existed did not always address the dispersal of child welfare children and families, and could lead to confusion at a time when services are needed most. Without the establishment of minimum requirements, states may be unable to ensure continuity of services during a disaster.

Federal Requirements

In September 2006, Congress passed the Child and Family Services Improvement Act of 2006 [Public Law (PL) 109-288]. The PL 109-288 amended Part B of Title IV of the Social Security Act to reauthorize the Promoting Safe and Stable Families Program. Among other changes, PL 109-288 established requirements for states on disaster planning in child welfare under Section 6 (a) (16).

Under the new federal guidelines:

“(16) provide that, not later than one year after the date of the enactment of this paragraph, the State shall have in place procedures providing for how the State programs assisted under this subpart, subpart two of this part, or Part E would respond to a disaster, in accordance with criteria established by the Secretary which should include how a State would;

- (A) Identify, locate, and continue availability of services for children under State care or supervision who are displaced or adversely affected by a disaster;
- (B) Respond, as appropriate, to new child welfare cases in areas adversely affected by a disaster, and provide services in those cases;
- (C) Remain in communication with caseworkers and other essential child welfare personnel who are displaced because of a disaster;
- (D) Preserve essential program records; and
- (E) Coordinate services and share information with other states.”

Additional Resources

The Children’s Bureau, U.S. Department of Health and Human Services (DHHS) has provided a publication, “Coping With Disasters and Strengthening Systems: A Framework for Child Welfare Agencies, February 2007,” to help develop strategies that might be put into place to cope with disasters and how these changes can improve systems for servicing children and families (<http://muskie.usm.maine.edu/helpkids/rcpdfs/copingwithdisasters.pdf>).

The publication recommends reviewing any existing disaster recovery continuity plans and emergency government plans, as child welfare disaster response plans should flow into and be consistent with these plans. Many counties already have child welfare disaster response plans in place, working in coordination with local emergency first responders.

Local Plans

Plans with the new federal guidelines must be operational and incorporated as part of their child welfare plan and should include coordination with local Probation Departments and local interagency agreements and memoranda of understanding. Failure to have plans in place with the new federal requirements may jeopardize federal funding. Therefore, counties are requested to provide copies of their Child Welfare Services Disaster Response Plans to CDSS by September 14, 2007 so that the State can assemble all as part of its response to DHHS. Copies should be sent to:

**California Department of Social Services
Adoption Services Bureau
744 P Street, MS 3-31
Sacramento, CA 95814**

Attached is a child welfare disaster plan template to use as the format for county plans. Please have your designated project manager/staff overseeing the disaster response plan contact Carmen George, Program Analyst, at (916) 651-8106 or by e-mail at Carmen.George@dss.ca.gov if there are any questions or concerns regarding the template.

State Coordination

In the event of a disaster, CDSS is committed to supporting and assisting counties where needed. The CDSS will establish a central communication link to facilitate coordination among impacted and non-impacted counties in order to coordinate services as needed.

The CDSS will also become the central point of contact with DHHS, other states, and California counties to help ensure a communication link is maintained as part of the disaster response process. The Children and Family Services Division will continue to coordinate with the State Office of Emergency Services and CDSS' Disaster and Client Services Bureau to ensure appropriate response to counties in the event of a disaster.

If you have any questions regarding this letter, please contact me at (916) 657-2614, or you may contact Glenn Freitas, Chief of the Children's Services Operations and Evaluation Branch at (916) 651-8111.

Sincerely,

Original Document Signed By:

MARY L. AULT
Deputy Director
Children and Family Services Division

Attachment

<http://www.dss.cahwnet.gov/Forms/English/TEMPAD525.doc>

c: CWDA
CPOC