

**Advisory Social Services Board (ASSB)**  
Wednesday, April 21, 2021, 7:00pm-8:30pm  
Zoom Virtual Platform due to COVID-19 Pandemic Emergency

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**MEETING NOTES**

**Attendees:**

Members Present:

- **David Jonas (Chair)** attending virtually from the Mason district.
- **Sarah Newman** attending virtually from the Hunter Mill district.
- **Nancy Hall** attending virtually from the Mason district.
- **Alice Foltz** attending virtually from the Sully district.
- **Karen Darley** attending virtually from the Braddock district.
- **Stephanie Sedgwick** attending virtually from the Dranesville district.
- **Lesley Abashian** attending virtually from the City of Fairfax.

Members not Present:

- **Amrita Banerjees**
- **Julie Shepard**

Staff:

- Michael Becketts, DFS Director
- Melanie Fenwick, DFS Senior Policy Manager
- Alycia Blackwell, DFS Deputy Director
- Marijke Hannam, DFS Deputy Director
- Kristina Jordan, DFS Documentarian
- Mena Nakhla, DFS CAAB Manager
- Louis Nuzzo, Fairfax County Assistant County Attorney
  
- **This meeting was held via Zoom Virtual Platform due to the COVID-19 Pandemic.**
- **The public was able to access this meeting by dialing 888-270-9936 and then entering the conference code 371526.**

**Meeting Opening:**

- David Jonas called the meeting to order at 7:04pm
- David Jonas read the electronic meeting script as authorized by FOIA and performed roll call establishing that each member can hear each other.
- Marcela Lievano had to resign from her position due to personal reasons.

**Approval of Minutes:**

- Minutes from 3/17/2021 were approved by ASSB Chair and Board.

## **FOIA Refresher:**

- Louis Nuzzo, Assistant County Attorney presented
- Virginia Freedom of Information Act
  - AKA VFOIA or FOIA
  - Enacted July 1, 1968
  - Va. Code 2.2-3700-3715
- What is a public meeting?
  - The discussion or transaction of the business of a public body at:
    - Work sessions, when sitting physically, or through telephonic or video equipment...as a body or entity
    - An informal assemblage of (i) as many as three members or (ii) a quorum, if less than three
  - Gathering of employees are not “public meetings”
  - If it is a public meeting under FOIA, then the law requires that:
    - Notice of the meeting be given
    - The meeting must be open to the public
    - Minutes of the meeting must be taken and preserved
  - The ASSB is considered a public body!
- Public Meeting Requirements Virginia Code 2.2-3707:
  - All meetings of public bodies are open to the public unless specifically closed pursuant to VCA 2.2-3712
  - The public is entitled to at least three working days’ notice of any public meeting
  - Any person may photograph, film, record, or otherwise reproduce any portion of a meeting required to be open
  - The proposed agenda and all materials furnished to members of a public body for an open meeting must be made available for public inspection at the same time the documents are furnished to the members of the public body
  - Minutes must be recorded at all open meetings-study committees are excepted
  - Minutes, including drafts, are public record
- Closed Meetings Virginia Code 2.2-3711 & 3712
  - No closed meeting shall be held unless the public body has taken an affirmative recorded vote in an open meeting approving a motion that:
    - Identifies the subject matter of the closed meeting
    - States the purpose of the meeting as authorized in subsection A of 2.2-3711
    - Cites the applicable exemptions provided in subsection A of 2.2-3711
    - Restricts discussion during the closed meeting to identified matters
    - Reconvenes in open session to affirm that only matters lawfully exempted in the statute and as identified in the motion were discussed
  - Electronic meetings under the Governor’s Declared COVID-19 State of Emergency:
    - Public bodies may meet wholly by electronic means during the state of emergency so long as:
      - The nature of the declared emergency makes impracticable or unsafe to assemble in a single location
      - The purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body and the discharge of its lawful purpose, duties, and responsibilities

- It makes available a recording or transcripts of the meeting on its website within 10 working days of the conclusion of the meeting
  - All notice provisions of VFOIA are followed using the best available method
- Electronic Attendance and voting:
  - VA Code Ann. 2.2-3708.2(C) Presently, no Fairfax County BACs may conduct electronic meetings as a body, absent an emergency declared by the Governor. The 2021 Virginia Code amendments will allow for locally declared emergencies establishing the framework for electronic meetings as of July 1, 2021.
    - A quorum may not be physically gathered
  - Fairfax County public bodies may elect to create specific policies on electronic attendance and voting for individual members for personal or medical reason absences
    - The gathering of a physical quorum is required
- Inadvertent and Illegal Meetings:
  - An unnoticed physical or electronic (including but not limited to email) gathering of three or more members of a public body where the public business of the body is discussed
  - Most often encountered using email or at social events
  - Must refrain from using email among three or more members of the public body at one time
  - Simultaneity issue
- E-mail usage-best practices:
  - When possible, public records should be stored on Fairfax County Information Technology network. If not stored on County network, then must be easily retrieved by custodian
  - Do NOT use “reply all”
  - No electronic meetings over email, including voting over emails
  - Avoid inadvertent meetings including inadvertent meetings within meetings of your or other bodies
- Questions:
  - Should BAC members have county email addresses?
    - The county attorneys feel this would be a great idea but they are not authorized to make that decision. They do suggest having a separate email for the BAC you are a part of
  - What are the penalties for violating FOIA?
    - 1<sup>st</sup> violation: civil penalty not less than \$500 and not more than \$2,000
    - 2<sup>nd</sup> and subsequent violation: \$2,000
    - If you destroy a record that FOIA requested than it becomes a class one misdemeanor and possible jail time

**Director’s Announcements and FY21 2<sup>nd</sup> Quarter Data Review:**

- Michael Becketts, DFS Director presented
- To follow up with what Louis Nuzzo was talking about in reference to FOIA requests:
  - DFS has staff members that work on FOIA requests

- If you were to get a FOIA requests, please give that info to Michael Becketts or Melanie Fenwick and they will get it to the appropriate people who will take care of it
- REI Training (Groundwater Training):
  - David Jonas, Stephanie Sedgwick, Sarah Newman, Alice Foltz, and Nancy Hall all attended the training
  - If you were not able to go, DFS will make the info available to the entire ASSB for review
  - What did you get from this training:
    - Stephanie: best training I have ever been to. I feel like it is something everyone should attend, and it should even be in high schools
    - Alice: agreed with Stephanie. I feel that it had clear implication for ASSB. Every aspect of our work has racial equity as an issue.
    - Michael: has been through the training multiple times. There is a two full day training available. Michael will be working with other departments to see if we can bring this training to the leadership members of the departments.
  - Michael would like to present the departments equity impact plan in one of the next few meetings
- Critical Outcomes Scorecard:
  - This is a document that is produced out of data from the state
  - DFS is part of the Program Improvement Plan (PIP)
  - VA is under a corrective action plan (PIP) by the federal government and Fairfax is part of this due to being the largest jurisdiction in VA.
  - This document shows everything that the state is measured on
  - Fairfax is trending up and doing well. Fairfax is leading the state.
  - Some of the numbers would take years to move. Those are the one's that are showing red in the document
  - Transformation Outcomes:
    - Discharges to Permanency 84%
    - Congregate Care Placements 8.7%
    - Family-Based Placements 91.3%
    - Foster Care Out-of-Home Visits 98.4%
    - Foster Care Visits in Child's Residence 90.9%
  - CFSR Outcomes:
    - Discharge to Reunification Within 12 Months 35.5%
    - Reentries Within 12 Months 0%
    - Discharge to Adoption in 24 Months 34.5%
    - Setting Stability 81.6%
    - AFCARS-Approved Court Hearing Status 93.2%
  - Safety Outcomes:
    - No Recurrence of Maltreatment 99.7%
    - No Abuse While in Foster Care 100%
    - CPS Ongoing Contacts Made 96.4%
    - Referral Contacts Within Response Priority 99.4%
  - Questions:
    - Is there anything we can do to help?
      - Be ambassadors for Foster Families

- Be a court appointed advocate
  - Donations
- FY 21 Quarter Review
  - Public Assistance
    - Medical Assistance (MA): LDSS 92.4%
    - Supplemental Nutrition Assistance Program (SNAP) 99.6%
    - Temporary Assistance for Needy Families (TANF) 99.6%
    - Child Care (CC) 97.4%
  - Family Services
    - CPS Referrals Closed Before Due Date 74.2%
    - CFSR Timeliness of First Contact with Victim 89.9%
    - Congregate Care Placements 9.8%
    - Transcription Usage 5.0%

**Chair's Announcements:**

- David Jonas presented
- April 14<sup>th</sup> Budget Testimony
  - We formed a subcommittee
  - To form a message we wrote a letter
  - David Jonas called in and gave a brief testimony
- Open Discussion
  - If there is one or two things you would like the board to achieve this year what would it be?
    - Employment Services: getting these services out to more people in our community
    - Take a look at where most of the foster children are and try to recruit more from those areas
    - Services for older people
    - Evictions
  - David would like to create subcommittee to address some of the possible achievements listed above
    - Please take the next couple weeks to decide which subcommittee you may want to work on

**Adjourned:**

- Meeting adjourned at 8:36 p.m.

**Next ASSB meeting:**

- Wednesday, March 17, 2021 from 7:00pm-8:30pm