



Pono Process

AN ADDITIONAL SUPPORT FOR YOUTH TO
USE IN THE EVENT THAT THEIR RIGHTS
ARE NOT HONORED AND UPHELD

PRESENTED BY: STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES, CHILD WELFARE SERVICES, AND EPIC 'OHANA INC.

**The Preventing Sex
Trafficking and
Strengthening Families Act
(Public Law 113-183)**



The Preventing Sex Trafficking and Strengthening Families Act of 2014 covers a wide-range of topics, from preventing sex trafficking to family connections and more. The pieces of this law that we will be focusing on today are ‘normalcy’ and ‘prudent parenting’. This groundbreaking federal law is designed to promote well-being and normalcy for youth in foster care. The Act directs state child welfare agencies, contracted providers, and courts to facilitate age-appropriate experiences for these youth and take other steps to support normalcy and promote permanency.

Promoting Normalcy For Children and Youth in Foster Care

- ❖ Ensure that children in foster care engage in age or developmentally appropriate activities.
- ❖ Institute the 'reasonable and prudent parent standard' for youth participation in activities.
- ❖ Develop standards and training on the reasonable and prudent parenting standard for foster parents and caregivers.
- ❖ Institute liability protections when the reasonable and prudent parenting standard is applied by foster parents.
- ❖ Require participation of youth age 14 and older in case planning and identification of advisors/advocates.
- ❖ Mandate provision of a list of rights to youth age 14 and older.
- ❖ Mandate inclusion of youth age 14 and older in transition planning.

While there is no single “normal” childhood experience, “normalcy” refers to age and developmentally-appropriate activities and experiences that will allow children and youth to grow. It means that youth are able to do what is considered ‘routine’ for many teenagers: participate in sports, spend time with friends, dating, sleep overs, a cell phone and trips, for example.

It also includes opportunities for youth to take on additional responsibilities and freedoms-like learning how to drive, working a part-time job or having a later curfew. Through these activities, youth learn their interests and talents, safely experiment and take risks, practice decision-making skills, and develop healthy peer and adult relationships.

Video : Normalcy and Well-Being

Link:

<https://www.youtube.com/watch?v=8yBEhne3flw&t=255s>

Rights of Children in Foster Care
*As a child or youth in Hawai'i's Child Welfare Services
Foster Care system, you have the following rights*:*

A Home:

- Free from physical, psychological, sexual and other abuse
- Food, shelter and clothing

Health & Medical Services:

- Receive medical care, dental services, corrective vision care, mental health services
- Be enrolled in a health insurance plan and be provided with a health assessment, recommended treatment within 45 days of placement

Contact with Your Family:

- Have regular, supervised or unsupervised, in-person, telephone or other forms of contact with your parents and siblings unless it is prohibited by court or determined unsafe by your social worker, therapist, GAL or CASA
- Withholding visits with your family cannot be used as a form of punishment

Involvement in Your Case/Court Hearings:

- If 14 or older, be involved in developing your case plan and planning for your future
- Have in-person contact with your social worker
- Have regular, in-person contact with your GAL, CASA and probation officer
- Receive notice of your court hearings, attend and get transportation to the hearings
- Meet with and speak to your judge
- Ask for an attorney, if your opinions and requests differ from your GAL

You also have the right to be treated fairly and equally and receive care and services that are culturally responsive and free from discrimination based on race, ethnicity, color, national origin, ancestry, immigration status, gender, gender identity, gender expression, sexual orientation, religion, physical and mental disability, pregnancy or parenting status, or the fact that you are in foster care.

I have received a copy of the "Rights of Children in Foster Care" and the relevant part of HRS 587A. I had an opportunity to review and discuss them with my social worker. (Please address any concerns to your social worker, GAL/CASA, judge.)

Child/Youth Name (Print) _____ Date _____

Social Worker (Print) _____ Date _____

DHS Revised 10-19-18

Education:

- Attend school and remain in your original school unless it is not in your best interest
- Be provided with transportation to your original school
- If changing schools, be enrolled immediately in the new school
- Receive your educational records

Religious/Extracurricular Activities:

- Exercise your own religious beliefs, refuse to attend religious activities/services
- Participate in extracurricular, cultural and social activities

Independent Living Services & Documents:

- A personal bank account if you request one and help managing your money unless there are safety issues
- Beginning at age 12, receive life skills training, a transition plan that addresses reunification/permanency and information about independent living, foster youth organizations/transition planning resources
- If you're 14 or older, receive a free copy of your credit report every year while in foster care, help understanding it and fixing any problems with it
- If you're 17 or older, receive personal documents including a certified copy of your US birth certificate, Social Security card, copy of medical records, health insurance information, immigration documents, and state ID or driver's license

Child/Youth (Signature) _____ Date _____

Social Worker (Signature) _____ Date _____

*ACT 105, 2018 Hawaii Legislative Session

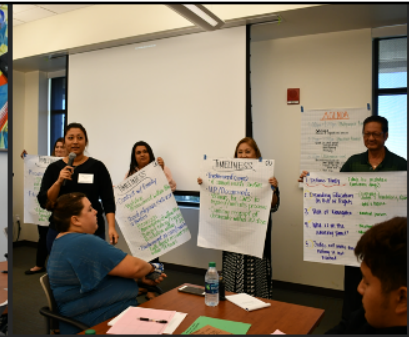
Bill of Rights



History of Pono Process

This picture is of a 2019 events in which HI H.O.P.E.S. Board members statewide partnering with Child Welfare, Family Court, GAL/CASA, and other services providers to develop prototypes of what the "grievance" process would look like.

In July 2020, the Pono Process was officially launched.



Vision of Pono Process



Values of Pono Process

Youth Friendly: Easy to access and easy to understand

Youth Voice/Engagement: Young person is heard and involved

Free From Retaliation: Young person is not punished or removed for filing a grievance

Timely: Action on the grievance process will occur quickly and efficiently

Respectful and Empathetic: Staff who handle the grievances will be respectful and helpful in supporting the young person

Neutrality: Separate "Navigator" to receive and field initial grievances

Communication and Transparency: 1) Youth and relevant parties are notified and action taken and 2) results of grievance or request conveyed in a timely manner

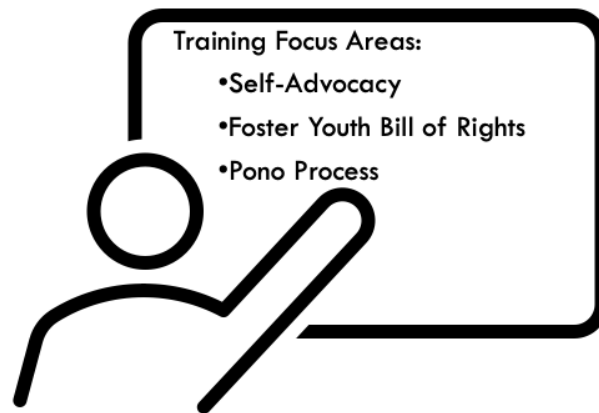
Accountability and Authority: Chain of command, panel or decision-making team has authority or can hold people accountable to make things happen

Confidentiality: Young person's information when filing a grievance will remain with appropriate parties only and handled in a way that does not disparage the young person or peg them as a "troublemaker" to outside parties or team members.



Self-Advocacy Options

Self-Advocacy Training



The prevention piece that we've been working on is a self-advocacy training for all young people between the ages of 12 – 17 who enter the foster care system. This training focuses on educating young people on self-advocacy, the foster youth bill of rights, and Pono Process. We expect to roll out this training within the next several months. We would like to ask that once we start this training for your help in recruitment of young people.

Video: Pono Process

Link:

<https://www.youtube.com/watch?v=y4xjfdOvJ8U&t=2s>

Pono Process Roles

Pono Process Navigator/Lead: A professional with experience in the foster care system who will guide youth through the Pono Process and connect youth to the people that can help with the youth concern.

Pono Process Team: This team consists of the youth, their Social Worker, Guardian Ad Litem/Court Appointed Special Advocate and Resource Caregiver. They work together to resolve youth concern.

Pono Protectors: Professionals in positions of assigned authority that make decisions independently (or in conjunction with the other team members, as necessary) to resolve grievances that are able to be handled outside of a court process.



(FLOW CHART STEPS EXPANSION)

Step 3: The Pono Navigator would contact the youth and filed additional information from the youth to confirm that the concern would be considered a grievance. During this step we also fill out a Pono Process Grievance Information Sheet and provide any necessary resources to the young person as well as we recognize that some young people may simply need help connecting to the youth circle program or enhancement funds. If the youth's concern is something that can simply be figured out between the navigator and young person through providing resources, the Pono Process Navigator will inform the youth's team that we've aided with the youth in obtaining information on what their concern was.

Step 4: The way in which the Pono Navigator informs the youth's team of the grievance is to send the team the Pono Process Grievance Information Sheet through email so that way the team has all relevant information pertaining to the grievance. Additionally, initial notice of the grievance and the Pono Process Grievance Information Sheet will be sent to the Child Welfare Services Branch Administrator, Elladine and Assistant Child Welfare Services Branch Administrator Tonia, in addition

to the Social Worker and Supervisor. The purpose of this is to tag Pono Process cases for select review. Once this happens, an internal review will occur within DHS on the Pono Process cases to prevent similar grievances from repeating in the future.

Step 5: In this step the youth's team would be contacting each other and the youth to develop a resolution for the grievance. The Pono Navigator will stay informed of the status of the grievance by following up with team members and youth on at least a weekly basis.

Step 7: Some examples of legal options that may be explored includes scheduling an appointment to meet with the youth's judge or even assisting a young person is obtaining their own attorney.



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