

December 4, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 21-142

The purpose of the All County Letter is to provide information regarding the allocation methodology for the Fiscal Year 2021-22 Commercially Sexually Exploited Children (CSEC) Program.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

December 4, 2021

ALL COUNTY LETTER NO. 21-142

TO: ALL COUNTY CHILD WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL FOSTER CARE MANAGERS
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL TITLE IV-E AGREEMENT TRIBES
ALL COUNTY BOARDS OF SUPERVISORS

SUBJECT: COMMERCIALY SEXUALLY EXPLOITED CHILDREN
PROGRAM FISCAL YEAR 2021-22 ALLOCATION
METHODOLOGY AND PROGRAM INFORMATION

REFERENCE: [PUBLIC LAW 113-183](#); [SENATE BILL \(SB\) 855 \(CHAPTER 29, STATUTES OF 2014\)](#); [WELFARE AND INSTITUTIONS CODE \(WIC\) SECTION 16524.7](#); [SB 794 \(CHAPTER 425, STATUTES OF 2015\)](#); [WIC SECTION 16501.35](#); [WIC SECTION 16524.6-11](#); [ALL COUNTY LETTER \(ACL\) 16-08: IMPLEMENTATION FEDERAL PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT](#); [ACL 16-85: STATEWIDE POLICIES AND PROCEDURES TO PREVENT CHILD SEX TRAFFICKING](#); [ACL 16-15: YOUTH WHO ARE MISSING FROM FOSTER CARE](#); [ALL COUNTY INFORMATION NOTICE \(ACIN\) I-14-19: RECOMMENDED PRACTICES FOR SERVING COMMERCIALY SEXUALLY EXPLOITED CHILDREN \(CSEC\) MISSING FROM CARE](#); [COUNTY FISCAL LETTER \(CFL\) 18/19-38: CSEC PROGRAM GENERAL FUND ALLOCATION](#); [CFL 21/22-21: FISCAL YEAR 2021-22 CSEC PROGRAM GENERAL FUND PLANNING ALLOCATION](#)

The purpose of this ACL is to provide all county child welfare and probation agencies (hereafter referred to as “counties”) the allocation methodology for the Fiscal year (FY) 2021-22 CSEC Program, including the federal preventing sex trafficking requirements under Title IV-E of the federal Social Security Act. Specifically, this ACL addresses the following:

- Historical context of the CSEC Program
- FY 2021-22 CSEC Program allocation methodology
- Examples of allowable State CSEC Program Expenditures and Federally Required Title IV-E Preventing Sex Trafficking Activities (Attachment I)

BACKGROUND

To support counties in their efforts towards improving outcomes for minors who are at-risk or a victim of commercial sexual exploitation, California enacted [SB 855 \(Chapter 29, Statutes of 2014\)](#). This established the county optional CSEC Program described in [WIC Sections 16524.6-11](#) and administered by the California Department of Social Services (CDSS). Annually, the County Welfare Directors Association (CWDA) and the CDSS collaboratively develop an allocation methodology for the distribution of funding to counties that opt to participate in the state CSEC Program.

After the passage of [SB 855](#), on September 29, 2014, the President signed into law the federal Preventing Sex Trafficking and Strengthening Families Act ([Public Law 113-183](#)), which amended Title IV-E of the Social Security Act to require states to develop and implement policies and procedures related to commercially sexually exploited youth, and runaway or missing children, and youth who receive child welfare services. This federal law was codified into state law in 2015 via [SB 794](#) through the addition of [WIC Section 16501.35](#), requiring all child welfare and probation departments to identify, document, and determine appropriate services when serving youth who are at risk for, or identified as victims of, commercial sexual exploitation. In addition, [SB 794](#) required counties to implement policies and procedures related to expeditiously locating children and youth missing from care. The CDSS provided initial instructions to counties regarding the preventing child sex trafficking requirements in [ACL 16-08](#), statewide policies and procedures to prevent child sex trafficking in [ACL 16-85](#), and provided initial instructions regarding the runaway/missing youth protocol in [ACL 16-15](#). Additionally, [ACIN I-14-19](#) highlights best practices for serving youth who have experienced exploitation, such as guidance on reporting procedures, engagement for youth during and post runaway, prevention guidance, and safety planning for future incidents of running. All county child welfare and probation agencies receive an annual allocation to perform these federally required activities.

ALLOWABLE STATE PROGRAM EXPENDITURES AND FEDERAL ACTIVITIES

In an effort to help support flexible expenditure planning relative to annual allocations for the county opt-in CSEC program and SB 855, the Child Trafficking Response Unit (CTRU) put together federally required Title IV-E preventing sex trafficking activities, the CDSS has developed the attached

document. The attachment is meant to provide child welfare agencies and probation departments examples of allowable expenditures and activities relative to the associated funding source and program requirements.

**FUNDING DISTRIBUTION for the STATE CSEC PROGRAM [SB 855
(CHAPTER 29, STATUTES OF 2014) - OPT-IN COUNTIES]**

In consultation with the CWDA, \$15.9 million General Fund (GF) is distributed to County Welfare Departments (CWDs) that have opted to participate in the state CSEC Program established by [WIC Section 16524.7](#) using the following methodology:

- \$16.2 million GF is preliminarily allocated based on each previously opt-in (hereinafter referred to as “continuing”) county’s percentage of the total statewide FY 2018-19 state CSEC allocation, as displayed in [CFL No. 18/19-38](#).
- From the preliminary calculation, a reduction of \$325,760 is distributed across all continuing counties for the implementation of county training, technical assistance, and cross-county coordination through the Preventing and Addressing Child Trafficking Project based on each continuing county’s point-in-time FY 2020-21 state CSEC allocation balance as of August 2021. Continuing counties with point-in-time surplus balances contribute 2.39 percent of their preliminary allocation; continuing counties with point-in-time deficit balances contribute 1.0 percent of their preliminary allocation.
- An adjustment is made to ensure counties receive no less than \$25,000 GF [CFL 18/19-38](#).

Further information regarding the allocation methodology and claiming information can be referenced in the FY 2021-22 CSEC Program GF planning allocation, [CFL No. 21/22-21](#).

**FEDERAL PREVENTING SEX TRAFFICKING REQUIREMENTS [SB 794
(CHAPTER 425, STATUTES OF 2015) - ALL COUNTIES]**

In consultation with the CWDA, \$678,800 GF is distributed to CWDs using the following methodology:

- Each county’s percentage of the total statewide foster care caseload, ages ten through 20 years, based on 2021 second-quarter data from the California Child Welfare Indicators Project on the University of California (UC), Berkeley website.
- To ensure all counties implement the federally mandated activities, a minimum floor of \$2,500 GF was provided.

In consultation with the Chief Probation Officers of California, \$1.0 million GF is distributed to County Probation Departments using the following methodology:

- Each county's percentage of the combined total statewide foster care caseload, ages ten through 20 years, based on 2021 second-quarter data from the California Child Welfare Indicators Project from the UC Berkeley website and candidacy caseload as reported by counties to CDSS.
- To ensure all counties implement the federally mandated activities, a minimum floor of \$2,500 GF is provided.

If you have any questions or need additional guidance regarding the information in this letter, contact the CTRU within the Child Welfare Policy and Program Development Bureau at (916) 651-6160 or at CSECPprogram@dss.ca.gov.

Sincerely,

Original Document Signed By:

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division
Attachment

c: County Welfare Directors Association
Chief Probation Officers of California

State CSEC Program Expenditures and Federally Required Title IV-E Preventing Sex Trafficking Activities

Comparison of State CSEC Program Funding and Federal/State Funding for the Title IV-E Preventing Sex Trafficking Activities

All California counties are allocated funds to assist in the identification, documentation, determination of appropriate services, and efforts to expeditiously locate children and youth receiving child welfare services who are at risk for, or have experienced commercial sexual exploitation, as required by changes made in 2015 to Title IV-E of the Social Security Act by the [Preventing Sex Trafficking and Strengthening Families Act \(PL 113-183\)](#). Counties that elect to participate in the optional state CSEC Program are provided additional state funding to support activities established by Senate Bill (SB) 855 (Chapter 29, Statutes of 2014), and codified at [Welfare & Institutions Code Sections 16524.6 through 16524.11](#).



SB 855

Opt-in State Funding to Serve Children who have Experienced, or are at Risk of, Commercial Sexual Exploitation

SB 855 established the state funded optional CSEC Program, which requires County Child Welfare Departments (CWDs) who opt into the CSEC Program to develop and utilize an interagency protocol and multi-disciplinary team approach to serve children who are at risk for, or a victim of, Commercial Sexual Exploitation (CSE). Funds allocated under the state CSEC Program may not supplant funds for existing programs. Funds shall be used for prevention and intervention activities and services for children who have experienced, or are at risk of commercial sexual exploitation, and program implementation costs.

EXAMPLES OF ALLOWABLE EXPENDITURES BY CATEGORY:



Prevention Services

- Awareness education for foster children to help recognize and avoid commercial sexual exploitation



Mental Health:

- Specialized counseling services not otherwise covered by Medi-Cal or other sources
- Culturally appropriate therapeutic services
- Eye Movement Desensitization and Reprocessing (EMDR)
- Animal-Assisted Therapies
- Creative Arts Therapies
- Movement-Focused Therapies
- Holistic therapeutic activities i.e. yoga, dance, etc.



Home/Placement Supports

- Supplemental foster care payments for increased care and supervision needs
- Bed holds beyond the 14-day allowable hold time
- Video recording doorbell systems
- Caregiver support groups
- Alarm system installation and subscription
- Transportation to support changes in placements
- Contract with local Foster Family Agency (FFA) for specialized home finding



Service Contracts

- Drop-in centers
- Survivor advocates
- Counseling services not otherwise covered by Medi-Cal or other sources
- Support groups
- Life skills classes
- Safety planning
- Transportation vouchers
- Emergency supplies
- Workshops
- Emergency housing for youth between placements
- Mental health, substance use, or other case management services not otherwise covered by Medi-Cal or other sources
- Reproductive health education and services



Direct Support for Children:

- Basic needs (clothes, food, shelter, culturally specific hygiene supplies and personal care products)
- Gift cards or other motivation incentives for specialized services and supports for youth
- Personal care services to meet youth identified needs (hair, nails, lash extensions, waxing etc.)
- Phone bill, phone data plans, phone minutes
- Tattoo/scar removal
- Transportation (beyond what is already required) for the youth to participate in additional services and supportive activities
- Child care



Education

- Incentive payments to support educational opportunities
- Life-skills training
- Expectant and/or parenting classes
- Tuition
- GED, SAT, or other test preparation courses
- Develop or purchase school-based prevention curriculum for students, parents, and faculty
- Contracted work to strengthen the support provided by school resource officers, district foster youth liaisons, etc.
- Tutoring
- Supplies/equipment needed to support virtual learning environments



Programmatic Support:

- Specialized staff with reduced caseloads
- Specialized child welfare liaisons with focuses including, but not limited to law enforcement, education, locating children or youth absent from foster care, etc.
- Creating coordinated response protocol among multidisciplinary partners
- Establish a specific phone line for partners and law enforcement to contact 24/7 should a missing foster child or youth be recovered and/or identified
- Create specialized wraparound teams
- Coordination with homeless youth shelters and other service providers
- Engaging survivors for program support and technical assistance
- Survivor advocates
- Parent advocates
- Targeted caregiver recruitment
- 24-hour crisis response team

Statewide Funding for Fulfilling the Federal Preventing Sex Trafficking Requirements

SB 794 codified the federal mandates under the Title IV-E program outlined in the [Preventing Sex Trafficking and Strengthening](#)



[Families Act \(PL SB 113-183\)](#) requiring child welfare and probation departments to identify, document, and determine appropriate services

for youth receiving child welfare services who are at risk for, or a victim of, CSE, as well as implement protocols to expeditiously locate children and youth missing from care. All Child Welfare and Probation Departments receive an annual allocation to perform these Title IV-E administrative activities required by federal law.

EXAMPLES

Developing and implementing policies and procedures for identifying, documenting, and determining appropriate services for children and youth receiving child welfare services who are victims or at risk of sex trafficking. This includes, but is not limited to:

Screening Protocols, Tools and Materials

Developing protocols, tools, and materials for screening children and youth who may be victims, or at risk of, commercial sexual exploitation.

County Wide/Regional Steering Committees

Participation in a county wide or regional steering committees, county wide or regional coordinated response, and convening workgroups on identification and response.

Locating, Responding and Screening

Developing and implementing specific protocols for expeditiously locating and responding to children and youth who run away from foster care, including screening children and youth for CSE.

Crisis Response Team Protocol

Administrative activities associated with development of a crisis response team protocol to identify and determine appropriate services for children and youth.

Developing MOUs

Developing MOUs with agencies/providers for the purpose of identifying foster children and youth missing from care, and implementing policies and procedures for identifying, documenting, and determining services for children and youth who are victims or at risk of CSE.

Probation and Child Welfare Protocols

Protocol development between probation and child welfare agencies to report any instance of CSE when a child or youth receiving child welfare services is identified as a victim.

Law Enforcement Reports

Reporting to law enforcement any instance of CSE when a child or youth receiving child welfare services is identified as a victim.

NCIC & NCMEC Reports

Reporting to the appropriate law enforcement authority when a child or youth receiving child welfare services, who is reasonably believed to be the victim or at risk of CSE, is missing or abducted, for entry into the National Crime Information Center (NCIC), and reporting the child to the National Center for Missing and Exploited Children (NCMEC).

CWS/CMS Documentation

Documenting in the Child Welfare System/Case Management System (CWS/CMS) when a child or youth is receiving child welfare services and is a victim or at risk of CSE.