



## **SPECIAL TRANSMITTAL**

**SUBJECT:** Voluntary Resolution Agreement Requirements – Training and Attestation

**TO:** County Children and Youth Social Services Agencies  
Pennsylvania Children and Youth Administrators Association  
Foster Care and Adoption Agencies  
Child Residential Facilities  
County Children and Youth Solicitors  
County Children and Youth Guardian Ad Litem

**FROM:** Laval Miller-Wilson   
Deputy Secretary  
Office of Children, Youth, and Families

**DATE:** April 9, 2024

### **PURPOSE**

The purpose of this transmittal is to provide guidance to County Children and Youth Agencies (CCYAs), Child Residential and Day Treatment Facilities, Foster Care and Adoption Agencies, and Contractors on the steps necessary to comply with the Voluntary Resolution Agreement (VRA) between the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR), and the Pennsylvania Department of Human Services (DHS), Office of Children, Youth, and Families (OCYF). This transmittal specifically addresses the training requirements associated with the VRA.

### **BACKGROUND**

A complaint was filed against a county within the Commonwealth. The Complainant alleged they were discouraged from applying to be a foster parent because of their use of medically prescribed methadone. OCR investigated potential violations of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, and its implementing regulation, 45 C.F.R. Part 84 (Section 504), and Title II of the Americans with Disabilities Act, 42 U.S.C. 12101 et seq., and its implementing regulation, 28 C.F.R. Part 35 (Title II or ADA [Americans with Disabilities]). OCR's investigation identified systemic deficiencies in DHS/OCYF's oversight of CCYAs' Section 504 and Title II policies, practices, and

procedures to prevent discrimination against individuals with disabilities in Pennsylvania's child welfare system.

The ADA prohibits discrimination on the basis of disability. Addiction is considered a disability under the ADA because it substantially limits one or more of an individual's major life activities. The ADA protects persons in recovery from addiction to opioids and other drugs. Under the ADA, an individual's use of prescribed medication, such as that used to treat opioid use disorder (OUD), is not considered an "illegal use of drugs" if the individual uses the medication under the supervision of a licensed health care professional, including primary care or other non-specialty providers. This includes medications for OUD or medication assisted treatment (MAT).

Under Section 504 and Title II, child welfare agencies are required to ensure that individuals with disabilities are afforded an equal opportunity to participate in and benefit from all child welfare programs, activities, and services, including those services aimed at helping children achieve permanency with relatives.

DHS/OCYF receives Title IV-E and Social Services Block Grant funding from the HHS Administration of Children and Families. As the recipient of Federal financial assistance, DHS/OCYF, CCYAs and their contractors are obligated to comply with Federal civil rights laws and is subject to Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, and its implementing regulations, 45 C.F.R. Part 84. Section 504 prohibits discrimination on the basis of disability in all operations of any program or activity receiving Federal financial assistance.

As a public entity providing state government services, DHS is obligated to comply with Title II of the ADA and its implementing regulation, 28 C.F.R. Part 35. Title II prohibits discrimination on the basis of disability by state and local government agencies, including denying opportunities to benefit from services and failing to reasonably modify policies and procedures.

The VRA resolves a complaint filed by an individual with OUD, who receives MAT.

## **DISCUSSION**

There are several requirements in the VRA that are being implemented in separate phases.

The first Special Transmittal, released on September 1, 2023, was related to the Notice of Nondiscrimination and the Grievance Procedure. This was only relative to CCYAs.

The second Special Transmittal, released on December 21, 2023, was released to assist CCYA's with the development and implementation of their Nondiscrimination Policy and Procedure. This was only relative to CCYAs.

This Special Transmittal is related to the next phase of the VRA, which outlines training and attestation requirements. DHS/OCYF worked in collaboration with the Pennsylvania Child Welfare Resource Center (CWRC) to create Supporting Children and Families with Disabilities training. This training has been approved by OCR and meets the requirements of the VRA. Additionally, this Special Transmittal will outline the procedures that CCYAs, licensed providers, and non-licensed contractors will provide verification of compliance.

CCYA compliance includes the sharing and monitoring of training and attestation requirements for all Child Protection Service Contractors (non-licensed) that provide direct services to participants of Child Protective Services programs, and adoption and foster care under a contractual agreement with the CCYA. Contractors include but are not limited to:

- Guardian Ad Litem
- Solicitors
- In-home Service Providers

### **Definitions from the VRA**

“Child Protective Services” means the services provided by the program offices of DHS responsible for adoption, foster care, and child protective services, including the services as provided under Title 23 of the Pennsylvania Child Protective Services Law.

“Contractor” means any entity through which CYS agencies provide direct services to Participants of Child Protective Services programs, and adoption and foster care under a contractual agreement with the CYS agency or reimbursement, which includes monies that DHS has allocated to the Bureau of Children and Family Services (BCFS) as Federal financial assistance from HHS.

### **Who needs to complete training**

According to the VRA Agreement, training is required for the staff of all Child Protective Services programs, services, and activities that DHS administers, oversees, or provides directly or through CCYAs or through contractors. The training requirement is applicable to CCYAs, Child Residential and Day Treatment Facilities, Foster Care and Adoption Agencies, and any non-licensed contractors such as Guardian Ad Litem, Solicitors, and In-home Service Providers.

It is the responsibility of all CCYA staff to complete the training and the responsibility of the CCYA administrator to ensure the submission of the staff list as outlined below.

CCYAs must inform non-licensed contractors that all staff who provide direct services to participants of Child Protective Services programs, and adoption and foster care under a contractual agreement with the CYS agency must meet the training and attestation requirements outlined in this transmittal.

All staff employed by DHS/OCYF licensed providers who serve participants in DHS programs must meet the training requirements and each legal entity must complete one Attestation Form as outlined below.

### **When training needs to be completed**

Through the terms of the VRA, it is required for CCYAs, licensed providers, and non-licensed contractors to successfully complete the initial training and annual refresher training.

CCYAs, DHS/OCYF licensed providers, and non-licensed contractors must complete and pass the initial VRA training by July 30, 2024.

After successfully completing the initial training, a mandatory refresher training is required on an annual basis and must occur by July 30, 2025.

All new staff hired by CCYAs, DHS/OCYF licensed providers, and non-licensed contractors must complete and pass the VRA Training within sixty (60) calendar days from their employment start date.

### **How to complete training**

The VRA Training is an online, interactive training provided by CWRC through Bridge/E-Learn. New users must launch [www.bridge.pitt.edu](http://www.bridge.pitt.edu) using Google Chrome or Firefox to create a new account. Returning users should use their already existing username and password to log into their account.

Refer to Attachment A for a step-by-step guide to create an account (if necessary) and register for the training.

It is important for all staff to keep a copy of their training certificate provided by Bridge/E-Learn.

### **Verification of training**

Verification of compliance for CCYAs

- **Required initial training (Due July 30, 2024)**
  - After all CCYA staff complete their initial Supporting Children and Families with Disabilities training, each CCYA must submit a list of staff names and the date they completed the training to OCYF by July 30, 2024, by emailing [RA-PWOCYF-ADARESOURCE@PA.GOV](mailto:RA-PWOCYF-ADARESOURCE@PA.GOV).
- **Required annual refresher training (Due July 30, 2025)**
  - After all CCYA staff complete their refresher Supporting Children and Families with Disabilities training, each CCYA must submit a list of staff names and the date they completed the refresher training to OCYF by July 30, 2025, by emailing [RA-PWOCYF-ADARESOURCE@PA.GOV](mailto:RA-PWOCYF-ADARESOURCE@PA.GOV).

- CCYAs are reminded that all new CCYA staff hired after July 30, 2024, must complete the Supporting Children and Families with Disabilities training within sixty (60) calendar days of hire.

Verification of compliance for DHS/OCYF licensed providers (Child Residential and Day Treatment Facilities and Foster Care and Adoption Agencies)

- **Required initial training (Due July 30, 2024)**
  - After all staff employed by DHS/OCYF licensed provider completes their initial Supporting Children and Families with Disabilities training, the licensed provider must complete one electronically submitted [Microsoft Attestation Form](#) per legal entity, confirming that all staff have completed the mandatory initial training to show compliance with the VRA. The training and the Attestation Form must be completed by July 30, 2024 (See Attachment B).
- **Required annual refresher training (Due July 30, 2025)**
  - After all staff employed by DHS/OCYF licensed provider completes their annual refresher Supporting Children and Families with Disabilities training, the licensed provider must complete one electronically submitted [Microsoft Attestation Form](#) per legal entity, confirming that all staff have completed the mandatory refresher training to show compliance with the VRA. The training and the Attestation Form must be completed by July 30, 2025 (See Attachment B).
- All new staff employed by the DHS/OCYF licensed provider, hired after July 30, 2024, must complete the Supporting Children and Families with Disabilities training within sixty (60) calendar days of hire.

Verification of compliance for non-licensed contractors (In-home service providers, Solicitors, GALs, etc.)

- It is the CCYAs responsibility to ensure that each non-licensed contractor knows and understands the necessary steps in order to follow the VRA training and attestation requirements.
- CCYAs shall provide each non-licensed contractor with the information necessary for their staff to complete the Supporting Children and Families with Disabilities training (Attachment A) and for the non-licensed contractor to be able to complete one electronically submitted [Microsoft Attestation Form](#) (Attachment B).
- **Required initial training (Due July 30, 2024)**
  - After all staff employed by the non-licensed contractor completes their initial Supporting Children and Families with Disabilities training, the non-licensed contractor must complete one electronically submitted [Microsoft Attestation Form](#) confirming that all staff have completed the mandatory initial training to show compliance with the VRA. The training and the Attestation Form must be completed by July 30, 2024 (See Attachment B).
- **Required annual refresher training (Due July 30, 2025)**
  - After all staff employed by the non-licensed contractor completes their annual refresher Supporting Children and Families with Disabilities training, the non-licensed contractor must complete one electronically submitted [Microsoft Attestation Form](#) confirming that all staff have completed the

mandatory refresher training to show compliance with the VRA. The training and the Attestation Form must be completed by July 30, 2025 (See Attachment B).

- All new non-licensed contracted staff, hired after July 30, 2024, must complete the Supporting Children and Families with Disabilities training within sixty (60) calendar days of hire.

### **Additional Information**

- Only CCYAs are required to submit staff lists to OCYF. Contractors are not required to submit a staff list to OCYF.
- CCYAs are responsible to ensure that all non-licensed contractors know and understand the training and attestation requirements and are provided with the information necessary for their staff to complete the Supporting Children and Families with Disabilities training (Attachment A) and the [Microsoft Attestation Form](#) (Attachment B).
- While CCYAs are not responsible for tracking the submission of the [Microsoft Attestation Form](#) by non-licensed contractors, they may be contacted by OCYF should the contractor fail to submit the form to OCYF.
- CCYAs are highly encouraged to conduct random audits of non-licensed contractors to ensure compliance. This verification should be done by communicating with the non-licensed contractors and by a random sample of employee training certificates.
- CCYAs are highly encouraged to communicate the need for non-licensed contractors to complete the annual refresher course in a timely manner, to ensure they meet the July 30, 2025, requirement.
- For CCYAs and DHS/OCYF licensed providers, training compliance may be reviewed by OCYF Regional staff upon site visits or during licensing inspections.
- Should a CCYA enter into a new contract with a non-licensed contractor, the CCYA must ensure that the new contractor knows and understands the steps they need to take in order to follow the VRA training and attestation requirements. Training should be completed by all employees and the [Microsoft Attestation Form](#) should be completed within sixty (60) calendar days of the new contract.
- Any contractor who has issues completing the [Microsoft Attestation Form](#) may seek assistance by contacting [RA-PWOCYF-ADARESOURCE@PA.GOV](mailto:RA-PWOCYF-ADARESOURCE@PA.GOV).
- OCYF recognizes that some contracted providers service multiple counties - only one [Microsoft Attestation Form](#) is necessary to be completed in these situations. The form should only be completed once, by the legal entity, after all staff have completed the training.
- The attestation form can be found at: <https://forms.office.com/g/Hnq8tx55fJ>

## Attachment A

### Step 1: Create an Account with the Pennsylvania Child Welfare Resource Center

1. If you are a new user, please launch [www.bridge.pitt.edu](http://www.bridge.pitt.edu) using Google Chrome or Firefox and click on: Register for an Account.

**PACWRC BRIDGE**  
System Access

Username  
Field is required

Password  
Field is required

[Forgot Username and/or Password](#)

**LOGIN**

Need Access? [Register for an Account](#)

2. Complete all mandatory fields on the registration screen. **Important!** When entering your agency affiliation, select: **Other – Not Listed** and then select the PA county you work in. Submit your registration. If you run into any issues throughout this process, please contact: [BridgeHD@pitt.edu](mailto:BridgeHD@pitt.edu) for assistance.

**Bridge Registration Request**

**Personal Account Details**

Date of Birth\*  
MM / DD / YYYY

First Name\*  
M.I.

Last Name\*  
Suffix

Preferred Name

Maiden Name

Email\*

Email Verification\*

Work Phone\*  
Ext

**State of Employment**  
Select the state designation that best describes your employment.  
 Pennsylvania  Out of State

**Agency Affiliation**

I am affiliated with\*  
Other - Not Listed

What county is your agency located in:  
Select  
Please select a value


**CANCEL** **SUBMIT REGISTRATION**

3. Once you submit your account registration, **click login** to update your password and then complete your account profile. Bridge will walk you through this

process. An email will also be sent to the email address you indicated on the registration screen that includes your temporary password and user ID. If you update your password upon your initial login, the password displayed in the email will no longer be valid. Your user ID will never change.

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Password Update: dkibstah1

Please enter your current password \*

Please enter your new password \*      Please verify your new password \*

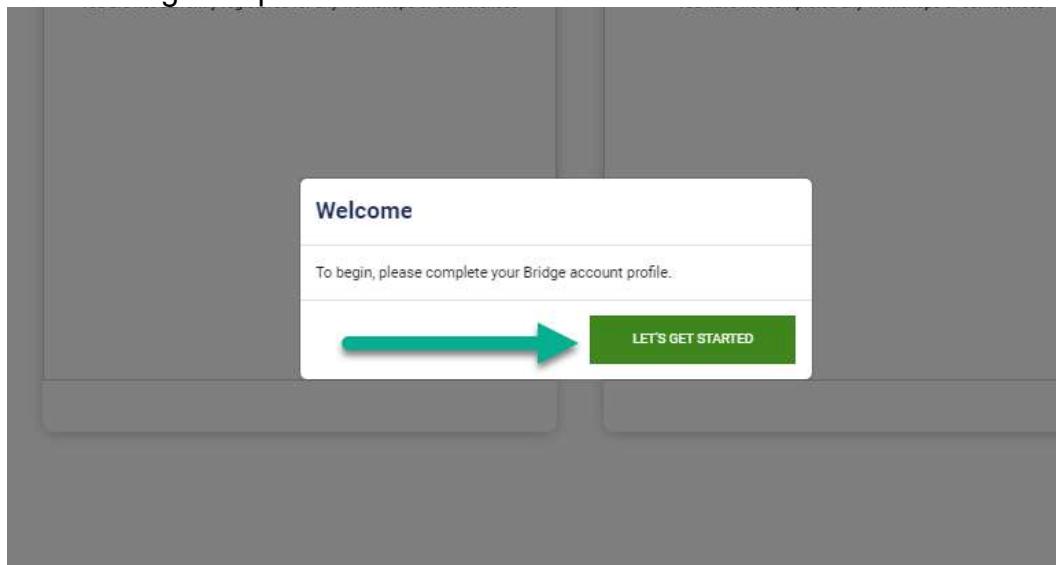
       

Your password must be at least 8 characters long and include at least 1 letter, 1 number, and 1 of the following special characters @, %, ^, \$, !, \*

We recommend you do not use your name, username, or any combination of these as your password

[SAVE](#)

- 4. Complete your Account Profile.** Bridge will automatically direct you to your account profile to complete. If you need to access your account profile later, to make any changes (email, last name...), click on the person icon in the left navigation pane.





5. When completing your profile, on screen #2 - **Employment**, keep your agency listed as: **Other – Not Listed**.

**Employment Details**

Select the state designation that best describes your employment.

Pennsylvania  Out of State

**Agency Affiliation**

I am affiliated with: \*

Other - Not Listed

What county is your agency located in: \*

Adams

Agency Street Address

Agency Street Address 2

Please note that not all fields are mandatory. You do not need to enter a primary work unit.

State

Pennsylvania

**i** Agency Hire Date \*

MM / DD / YYYY

Which of the following best describes your role under the Agency? If your role is unknown, please keep the default of Direct Service Worker.

Other

**i** Effective Date of Current Role \*

MM / DD / YYYY

Select your primary work unit.

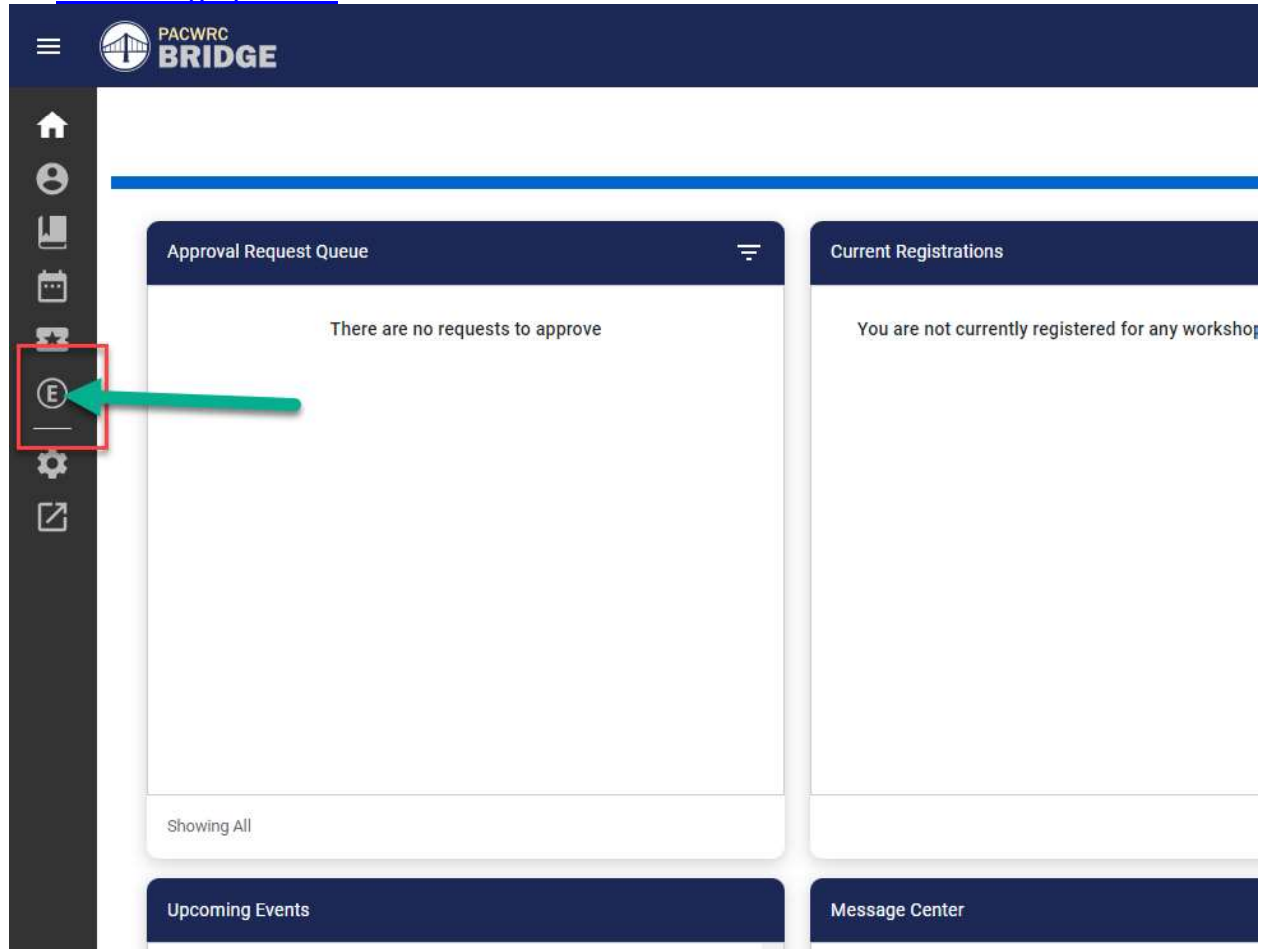
Select

GO BACK SAVE & CONTINUE

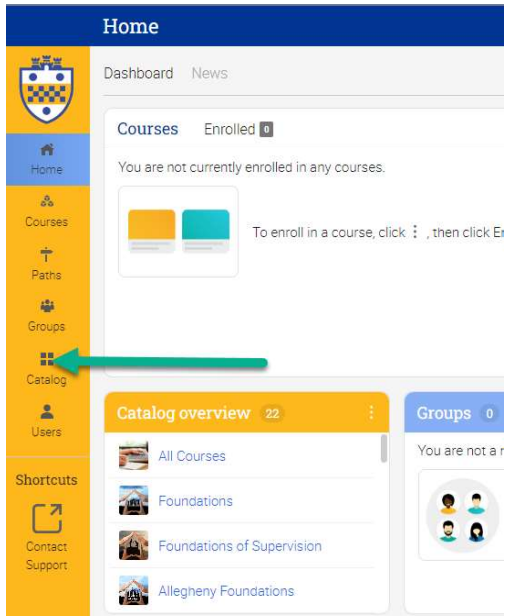
6. Once you have completed all four sections of your account profile, your E-Learn account will be established. This is where you will enroll into and complete the course.

## Step 2: Accessing E-Learn and enrolling into the course.

1. E-Learn can be accessed by clicking on the E icon in the left navigation pane or by visiting [www.e-learn.pitt.edu](http://www.e-learn.pitt.edu) (launch the application using Google Chrome or Firefox). You will need to login again using the same credentials used to log into [www.bridge.pitt.edu](http://www.bridge.pitt.edu).



2. Click on the **Catalog**.



- To Enroll:** The course will be displayed under the **All Courses** tile. First click on the tile and then locate and click on the course: **Supporting Children and Families with Disabilities**. Lastly, click on the blue **Enroll** button. The course will open in a new window. Please leave both the application window and the course window open while actively taking the module. If you close the application window, your progress will not save. You can start, stop, and resume the course at a later date, if needed.

4.



The image shows a screenshot of a course page in a learning management system. The page has a dark blue header with the course title "Supporting Children and Families with Disabilities" and the word "Course" below it. To the left of the title is a graphic with the letters "ADA" on a chalkboard. Below the title, the instructor's name "Pacivic System Admin" is displayed with a small profile icon. On the right side of the page, there is a blue "Enroll" button, which is highlighted with a green rectangular box and a green arrow pointing to it from the left. On the far left, there is a vertical yellow navigation menu with icons for Home, Courses, Plans, and Groups. Below the main header, there is a section titled "Modules" with the text "Here is the course outline". In the top right corner of the browser window, there are several small icons for notifications, search, and user profile.

## Attachment B

### [Microsoft Attestation Form](#)

After all staff employed by the DHS/OCYF licensed provider or the CCYA non-licensed contractor completes their initial Supporting Children and Families with Disabilities training, the legal entity must complete one [Microsoft Attestation Form](#) electronically, confirming that all staff have completed the mandatory initial training to show compliance with the VRA. Electronic submission must be done by July 30, 2024. The attestation form should **not** be submitted via email.

To be in compliance with the VRA, this attestation process must be completed again after all staff employed by the DHS/OCYF licensed provider or the CCYA non-licensed contractor completes their refresher Supporting Children and Families with Disabilities training. The legal entity must complete one [Microsoft Attestation Form](#) electronically, confirming that all staff have completed the mandatory refresher training to show compliance with the VRA. Electronic submission must be done by July 30, 2025. The attestation form should **not** be submitted via email.

The attestation form can be found at: <https://forms.office.com/g/Hnq8tx55fJ>.