



TEXAS
Department of Family
and Protective Services

Generally Applicable Caseload Standards

**Guidelines for
Conservatorship (CVS)**

July 2020

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CVS Caseload Standards

U.S. District Court Order Regarding Workload Studies

On December 17, 2019, the United States District Court, Southern District of Texas, Corpus Christi Division entered an order in Civil Action No. 2:11-CV-084 affirming the Plaintiffs' and Defendants' (which include the Texas Department of Family and Protective Services) agreed motion requesting use of a caseload guideline of 14 – 17 children per conservatorship caseworker. The guidelines described in the order shall not be used or interpreted as a "caseload cap" or an "enforced caseload range". The purpose of this document is to memorialize the standards and provide information associated with the guidance that will be provided to CPS staff in implementing the caseload standards.

Although the Order regarding caseload standards applies to children and youth in the Permanent Managing Conservatorship (PMC) of DFPS, cases assigned to a majority of conservatorship (CVS) caseworkers involve children and youth in both the temporary and permanent managing conservatorship of DFPS. Because of this, the standards will be utilized for any case involving children and youth in either temporary or permanent managing conservatorship of DFPS.

These recommendations and guidelines are intended to be utilized as a mechanism in support of achieving the CVS Caseload Standards. As non-binding guidance in support of the Standards, the recommendations and instructions in this document should not be construed to apply to the extent the Standards are achieved.

Future Planning for Staff Resources

DFPS intends to utilize existing appropriations in order to implement the caseload guideline during the FY 20-21 biennium. Should additional resources be required based on projections calculated during the biennium, the agency would follow the Legislative Appropriations Request process in order to seek additional resources in FY 22-23. Additional funding and FTE authority is conditional on legislative approval, and any appropriations and new positions would not be available or filled until fall of 2021.

Supervisor-level Management of Caseload Assignments

Supervisors assign cases to caseworkers in their units. Supervisors should continuously monitor caseworker caseloads to ensure an equitable number of cases among caseworkers, while also monitoring the complexity of cases

when making determinations about case assignments. During conferences, supervisors discuss each case with their direct reports to ensure all appropriate measures are taken to ensure child safety, to provide casework guidance, and to ensure they understand the workload of each staff assigned to their supervision. A supervisor must have a monthly conference with each caseworker in 10 months of any 12-month period, per CPS Handbook Section 1481 and Minimum Standards for Child Placing Agencies Section 749.673.

Supervisors have a variety of tools to assist with case assignment decisions. INSIGHT is an information management tool, updated daily, and used to monitor case complexity. The tool provides supervisors a color-coded chart that shows the complexity of each caseworkers' workload. The tool uses case factors such as safety, risk, and the number of people involved in a case to determine the complexity of the case by calculating a score. The score for each case on a caseworker's workload is then totaled to give the supervisor an overall view of the complexity of that workload. In addition to INSIGHT, the Conservatorship (CVS) caseload report is another tool that should be used to monitor current caseload assignments. This report supplements INSIGHT and the existing caseload reports in the data warehouse. The new report uses the methodology for calculating child-only caseloads provided to the monitors in conjunction with foster care litigation, which is different from the methodology used in reporting to the Legislative Budget Board (LBB) and other external reporting. This report will include a listing of all staff assigned at least one child with an open substitute care stage on the last day of the month and show all the children for which the staff is assigned primary along with other stages assigned. It will also include any vacant CVS caseworker positions along with CVS caseworker positions that are filled but are not assigned primary to any children in an open substitute care stage on the last day of the month. The report will also contain a summary by worker county of the average daily child-only caseload.

In order to ensure caseload and workload equity, the supervisor should make decisions that are supported with the use of both INSIGHT and the CVS caseload report when assigning new cases. In addition to these two tools, they also may need to consider the complexity of any new case along with the:

- Number of high-profile cases a caseworker may have. For example, a high-profile case may be one that has one or more of the following circumstances:
 - Media attention
 - Legislative attention
 - Well-known principals, or prominent family members

- Travel distances the caseworker is performing on existing cases and travel requirements on the new case, including siblings placed in different locations, frequent visitation or appointments on a case for which the caseworker must support transport, frequency of court hearings in a county other than the one where the worker is assigned, or children placed out of county;
- Language barriers for the new case; and
- Caseworker Experience
 - As new caseworkers are assigned cases, supervisors should strive to assign less-complex cases
 - If a caseworker has specific knowledge, experience or training, this should be taken into consideration when assigning cases. For example, if a caseworker has previous experience working in a substance abuse field or has done particularly well working with families with substance abuse history, this should be taken into consideration when assigning cases
 - Supervisors may need to provide, or arrange for, increased support (such as increasing the number of conferences or legal staffings, assigning a mentor for the worker on the case, or providing reference materials) when a worker is assigned a case involving serious physical or sexual abuse, or another type of complex case, for the first time (staff development).

Caseworkers are generally considered new for the first nine months of their tenure; this includes the time in CPS professional development.

INSIGHT factors the following items into the case complexity measure:

- Alcohol/Drug use
- Child with special needs
- Child without placement
- Distances of Family & Cases
- Family Violence
- Language barrier
- Mental health issues
- Multiple parents on stage (not PMC)
- Open PCSP
- SXAB

Formula - 1 point each for each factor.

- 4 points = Complex
- 3 points = High
- 2 points = Medium
- 1 point = Low

Managers should also consider factors that may **increase** case complexity, such as:

- A large sibling group with multiple placements
- A case that has had media attention
- A case that has a criminal case, or other court case attached
- Cases involving severe abuse
- Complex needs of the parents
- A case involving a child that has high medical needs or behavioral needs which result in frequent hospitalizations or moves or an increased involvement by medical personnel or other stakeholders

- Cases that generally might be considered less complex:
 - All siblings are placed together or no siblings
 - Children are all in their intended to be permanent placement
 - All legal issues resolved
 - Physical neglect, especially of older children
 - Lack of significant medical or mental health needs

While a caseworker may be eligible to receive additional cases based merely on the number of cases, instances may arise when a supervisor determines the caseworker should be temporarily removed from case assignment and not receive additional cases. Some examples include if a worker will be on FMLA, has an upcoming contested hearing or trial, has a significant conference or training coming that will keep the caseworker out of the office for a week or more, or has performance issues. The above factors, information from INSIGHT, and the CVS caseload report combined should guide decisions about case assignments.

Reassignment of Cases

When a caseworker resigns or goes on extended leave or uses FMLA (leave that extends beyond four weeks), the supervisor will reassign that caseworker's cases temporarily or permanently. Prior to a caseworker leaving, the supervisor must meet with the caseworker to determine if cases can be closed or if there are special considerations that must be taken into

account for the reassignment, including high profile cases, travel distance, language barriers, and the experience of the receiving caseworker.

In order to ensure continuity for families, it is preferred that a case be reassigned to a caseworker within the same unit because, while the supervisor may or may not have worked directly with the family, they are familiar with factors such as:

- Circumstances that led to CPS involvement;
- Services the family is participating in;
- Children's placement and needs;
- Permanency goals for the children; and
- Special orders of the court.

If a case must be reassigned to another unit, the supervisors of the two units must hold a transfer staffing to discuss items such as the placement of the children, permanency plan, current orders of the court, special issues, and the case complexity to determine appropriate caseworker reassignment. There are limited circumstances when a case may be assigned to a supervisor. For example, when a case is proceeding to a jury trial and a caseworker resigns, it may be prudent for the current supervisor to continue working the case since the supervisor is likely the person who has the most knowledge of the case.

Managing Caseload Size issues up the Chain of Command

Supervisors must always utilize the expertise of their Program Directors in the following circumstances:

- They experience difficulty maintaining equitable caseload assignments;
- They receive cases that are high-profile or sensitive in nature;
- They are reassigning cases within and outside of their unit; and/or
- They need support and guidance with caseload assignments.

Supervisors must consult with their Program Director when these circumstances occur, including outside of a regularly scheduled conference if guidance is needed prior to a scheduled conference. Program Directors are expected to conference with Supervisors monthly, at a minimum of 10 months of any 12-month period. During Supervisor/Program Director conferences, any staffing challenges the unit is experiencing, including staff currently on or going on extended leave and staff whose caseloads are outside generally applied guidelines, must be discussed. Conferences are not the only times for strategizing on caseload issues as these discussions should also occur at monthly staff meetings and quarterly regional improvement team meetings.

Case Closure

To facilitate effective management of caseloads, cases must be closed by the end of the month following the month of termination of DFPS' legal responsibility, unless it is a youth turning 18 under trial independence and/or a youth in extended foster care. Supervisors should guide workers on completion of necessary tasks to allow for case closure. Supervisors should use the Children with Open Conservatorship Stages and a Closed Legal Status report (available as report pp_22) to monitor for legal dismissals and ensure timely case closure. Supervisors should review this report monthly to manage case closure.

Graduated Caseloads for New Conservatorship (CVS) Caseworkers

CPS refers to its implementation of graduated caseloads as Advancing Practice. After newly hired caseworkers have met all requirements of Child Protective Services Professional Development (CPD) and are deemed competent to begin casework, they must follow the Advancing Practice caseload policy outlined below.

A new CVS caseworker will be assigned no more than 6 children in the first month of becoming case assignable and no more than 12 children in the second month after they are deemed case assignable at the successful completion of CPD. In the third month after being determined eligible for case assignments, the caseworker may receive a full caseload. Any number of stages may be assigned but the total children assigned to the new CVS caseworker must not surpass the guidelines stated above unless a qualifying exception exists and has been approved by the CPS Regional Director or their Designee.

Supervisors should avoid assigning the following types of cases during the transition from training to Advancing Practice:

- High-profile or sensitive cases;
- Cases that involve the death of a child; and
- Cases that involve a serious injury.

During Advancing Practice, the supervisor should make a reasonable effort to:

- Hold informal conferences with the new caseworker each week; and
- Hold a formal documented conference once a month.

For caseworkers transferring from one stage of service to another, for example from Family Based Safety Services to Conservatorship and staff demoting from CVS management positions, an exception form must be requested, completed, and approved by the CPS Regional Director or their designee if the transferring caseworker or demoting CVS manager will not be subject to Advancing Practice guidelines stated above. An assessment regarding training needs should be made before case assignment begins. Graduated caseloads may or may not be necessary depending on the staff's experience and previous training and determinations should be made on an individual basis.

All CVS supervisors receive information regarding advancing practice policy during supervisor training.

Regional Management Level Activities Associated with Caseloads

Regional management is responsible for ensuring equitable caseload assignments on a regional level by:

- Monitoring caseload increases at the regional, county, and unit levels, due to factors such as vacancies, a marked increase in removals, delays in exiting from care in a particular area, or numerous staff on extended leave;
- Making adjustments to staffing patterns/assignments;
- Monitoring trends and patterns related to retention and hiring;
- Identifying and addressing issues associated with turnover;
- Ensuring cases are closed by the end of the month following DFPS dismissal as the legal conservator of children and youth; and
- Elevating the need for additional resources or support to the CPS State Office level.

Some strategies regional management may use to address caseload distribution include:

- Temporary reassignment of caseworkers to different units, offices, or counties;
- Shifting cases to other units or counties;
- Realignment of positions within the region; and/or
- When a unit is experiencing staffing challenges, the unit could temporarily be removed from "rotation" and not receive additional cases until the staffing challenges are resolved.

Regional management should make determinations about the need for action based on monthly caseload reports and discussions during monthly regional management meetings. Each region is supported by a Regional

Systems Improvement Specialist (RSI) who partners with regional leadership to continuously and proactively improve the agency's processes, practices, and functioning to ensure optimal outcomes. The RSI is embedded in the regional leadership team to help them to strategically use data to identify what parts of the system are working well and what areas to target for improvement. To get a complete picture of system performance, RSI's view data through the lenses of Resources, Critical Tasks, Quality Casework, and Outcomes. The work of an RSI generally falls into one of the following categories: data monitoring and analysis; strategic planning; and process analysis and improvement. Regional Directors should meet monthly with Regional Systems Improvement staff to discuss emerging trends and patterns related to caseloads. Regional Improvement Team meetings should always include discussions regarding caseloads, trends, and patterns related to retention and hiring. These meetings allow staff to prepare for anticipated caseload shifts.

Intervention Staffings

If a unit experiences two or more vacancies within a month's time, an intervention staffing should be held to discuss the reason(s) for the vacancies and to plan to ensure continuity of services to children and families and adequate support for the supervisor and staff. The intervention staffing should focus on appropriate measures to address potential workload issues and safety precautions for children. The Program Administrator for the area will lead the staffing and should include the Program Director and Supervisor. The staffing should result in a plan to include an overall set of time frames and expectations, resources needed, and any steps to prevent any further need for intervention. The Regional Director must approve the plan before implementation. The CPS Regional Director should monitor the plan in monthly conferences with the Program Administrator.

Case Closure

To facilitate effective management of workloads, cases must be closed by the end of the month following the month of termination of DFPS legal responsibility. Regional management should monitor unit completion of this task and provide guidance to units who are unable to routinely manage this task. Regional management should use the pp_22 report to monitor. Regional Management should review the report monthly to ensure case closures are occurring timely and provide support and guidance to supervisors when needed to achieve this task.

Monitoring Hiring

When staff leave the agency, DFPS should take reasonable steps to fill vacancies as quickly as possible. Regional management works closely with the Talent Acquisition Group (TAG) to ensure this occurs. If there is not a perpetual posting in the region, upon notification of an upcoming vacancy, supervisors should notify TAG within 2 business days to ensure the position is posted quickly.

In order to monitor the status of vacancies, TAG provides regional management weekly hiring reports that show all vacant positions and the stage of hiring for each position. These reports allow regional management to monitor the status of hiring and make decisions related to ongoing coverage or needed assistance in the areas with vacancies. TAG also provides regional management with a monthly report that reflects separation rates at the regional level as well as the units within the region with the highest separation rate for the last six months. This allows management to delve into any potential concerns impacting retention in that unit via an intervention staffing. Regional management should meet with TAG hiring leads monthly to discuss priority hiring areas, barriers to filling positions (such as low applicant pools), and work through any additional challenges to timely hiring.

For additional information on hiring practices please see Section titled Hiring, Training/Mentoring, Retention & Leadership Development.

State Office Caseload Compliance Monitoring

The Associate Commissioner for CPS and the CPS Director of Field work to ensure equity of caseloads across the state by monitoring caseloads and identifying trends using available data and reports and communicating about identified trends with field staff. There are a variety of tools available to assist with this task. These tools include, but are not limited to:

- Monthly report that shows staffing and caseload levels at the regional level;
- Monthly Caseload report that monitors caseloads to the unit level; and
- Quarterly Equity of Services Statement (ESS) report.

The Director of Field meets with the Director of Regional Systems Improvement on a monthly basis for a systems briefing. The briefing includes monitoring trends and patterns related to workforce and caseloads. Using all of the available information, the Director of Field and Associate Commissioner for CPS should work with regional management to manage

caseloads at the regional and state level and develop plans to shift staffing or caseloads, as appropriate.

The Director of Field has a Master Conservatorship team comprised of 12 caseworkers and two supervisors. These are tenured, highly skilled staff who are hired specifically to travel to areas of the state experiencing high turnover, high caseloads, or other situations that require additional support and assistance. Master staff not only work cases, but also mentor new and tenured staff and provide formal and informal trainings to workers and supervisors.

When determining deployment of Master Conservatorship staff, the Master Program Director utilizes the average daily caseload report in addition to information obtained from regional management such as caseloads, vacancies, and staff in training or on leave, as well as unique circumstances. This information supports decision making related to:

- Prioritizing new requests for assistance;
- Extending current deployments; and
- Exiting master staff for deployment to other areas

If it is determined assistance will be provided, a pre-deployment call between regional management and Master staff occurs in order to plan for deployment. This call includes discussion surrounding who Master staff will report to, anticipated number of cases to be assigned, preliminary length of deployment, and goals for exiting Master conservatorship staff from the deployment. Monthly meetings occur thereafter between Master conservatorship and regional staff to discuss the status of deployment and exit plans.

The CPS Director of Field and the Associate Commissioner will work with the Systems Improvement Division to analyze current caseloads as it relates to the mix of complexity factors in order to develop more specific guidance to field staff.

Community-Based Care Considerations

The Community-Based Care (CBC) model is one in which DFPS contracts with a non-profit or governmental entity to oversee the placement and services to children in DFPS conservatorship, work with their families, and manage adoptions and kinship placements for children in paid foster care and kinship care. CPS is contracting with Single Source Continuum Contractors (SSCC) to provide CBC in five regions throughout the State of Texas. In Stage I, the SSCC will develop a network of services and provide foster care placement services. The focus in Stage I is improving the overall well-being of children in foster care and keeping them closer to home and

connected to their communities and families. In Stage II, the SSCC will provide case management, kinship, and reunification services. The focus of Stage II is expanding the continuum of services to include services for families and increasing permanency outcomes for children. Three of five SSCCs will transition to Stage II of CBC by 2021.

SSCCs are contractually obligated to adhere to legislation and court orders related to services historically provided by DFPS. SSCCs providing Stage II of CBC will be responsible for developing strategies for application of generally applicable internal caseload standards of 14 – 17 children per caseworker or implementation of a service delivery model that accounts for any needed weighting of caseloads or responsibilities, depending upon their workforce model. Two of the current SSCCs operate in other states with service delivery models that assign multiple staff to a family/child to provide comprehensive services, and their caseload standards or guidance may vary based on that multiple assignment. DFPS will review and approve strategies developed with each SSCC as a part of readiness activities prior to moving to Stage II services and will coordinate with the Monitors to develop an approved methodology to reflect any specific workforce models within an individual catchment region.

Hiring, Training/Mentoring, Retention, and Leadership Development

A well-qualified, stable workforce is critical to achieving manageable workloads and quality outcomes for children. During recent years, DFPS has made significant improvements in hiring, development and training, and retention strategies. Turnover amongst conservatorship workers decreased by 24% between FY 14 and FY 19. In FY 14, turnover of CVS caseworkers was at 22.6%; for FY 19, turnover was 17.1%. CPS regional leadership's business plan goals include maintaining or improving upon employee retention in their respective regions. Finally, in FY 17, the legislature approved significant pay raises for front-line staff and approved an additional 105 CVS caseworker positions, 15 CVS supervisor positions, and 30 CVS support staff positions.

Supervisors and other regional leadership should support efforts to retain staff, including ongoing retention strategies, such as the IV-E stipend for social work university education at the Masters and Bachelors level, use of exit interviews, training for supervisors on secondary trauma, and the Employee Assistance Program.

Hiring

DFPS uses multiple strategies to ensure the hiring process produces the best possible candidates, including maintaining a robust internet presence, utilizing pre-employment testing, recruiting for targeted degrees, and seeking bilingual recruitment. By leveraging these tools, DFPS has successfully widened the CPS applicant pool. Since FY 16, CPS has seen a 47.8% increase in applications, despite the state's low unemployment rate.

In FY 17, DFPS developed a behavioral assessment for CPS competencies and leadership in order to screen candidates for supervisory positions. Competencies screened for in the selection of supervisory positions include:

- Understanding Child Protective Services Supervisor Functions
- Communication
- Staff Development
- Cultural Responsiveness
- Strategic Management
- Strengths-Based Supervision
- Time Management
- Knowledge of Statutes, Policies, and Procedures
- Staff Retention
- Change Management

In FY 2018, CPS added hiring boards to the screening assessment for supervisor promotion to support fair and objective hiring practices. Program Directors and other management staff should participate in hiring boards for CPS Supervisors.

Training Model/Mentoring

In January 2015, DFPS began using the CPS Professional Development (CPD) training model to train and equip new caseworkers. Supervisors should support their staff participating in CPD and encourage more tenured staff to serve as mentors.

The CPD model takes an experiential approach to training in order to provide new caseworkers with a better understanding of the reality of their jobs early in training. The CPD model aims to better prepare caseworkers for their new roles, increasing staff competency, work quality, workforce stability, and ultimately outcomes for families. The CPD model was rolled out gradually across DFPS regions. All new caseworkers since November 2015 have been trained using the CPD model. CPD includes a 12 to 13-week training period, during which time new caseworkers are paired with a mentor (a tenured caseworker) who works with the new caseworker to prepare them to work

cases independently. The training period includes classroom trainings and field training with the mentor, during which time the caseworker gradually assumes responsibilities related to their mentor's caseload. After new caseworkers begin independent casework, they are given a partial caseload that gradually increases until they reach a full caseload at six months of tenure from hire date.

The Texas CPS Mentor Program links new caseworkers with exceptional team members who are highly respected by staff, stakeholders, and clients in order to acclimate new staff with the organizational goals of protecting children and strengthening families. The mission of the Texas CPS Mentor Program is to educate and develop competent staff that can engage, support, and empower families to ensure the safety, permanency, and well-being of children in the environment in which they live.

The purpose of the mentor program is to:

- Enhance learning for new staff
- Reduce the stress for new staff
- Improve performance through modeling and training by a top performer
- Retain excellent veteran staff in a setting where their contributions are valued
- Alter the culture and the norms of the agency by creating a collaborative subculture
- Develop future leaders within the agency

The formalized mentoring relationship begins within the first week a new employee (referred to as a protégé) begins their career with CPS and lasts until the protégé demonstrates the basic skills and knowledge of the competencies needed for CPS casework. It is anticipated that the formalized mentoring relationship will foster a long-term informal relationship between the mentor and protégé.

This training model has been evaluated by the University of Texas at Austin. Findings indicate staff believe the new model better prepares caseworkers for the job. Additionally, analysis of caseworker quality shows their skills are stronger. The report stated that the CPD model is achieving the intended goals and contributing to building a higher-quality, more stable CPS workforce that will support the agency's mission to protect children from abuse or neglect.

Leadership Development

In FY 17, CPS implemented an overhauled 30-day training program for new supervisors. The new model reinforces classroom training with hands-on learning from an advisor. Supervisor Professional Development aims to ensure that supervisors are able to practice key job functions throughout their training, using a competency-based framework that focuses on demonstrating proficiency in key areas central to the job functions of a CPS Supervisor. Program Directors should support a new supervisor's participation in the new supervisors' training and encourage the appropriate staff to serve as advisors to new supervisors.

In FY 18, CPS, the Division of Systems Improvement, the Center for Learning and Organizational Excellence (CLOE), and Human Resources developed a Program Director training, including topics on how to effectively use data for systems management, human resources, and leadership. Since FY 18, the training has been incorporated into and provided to all new program directors. CPS Program Administrators and Regional Directors received the training at a leadership meeting. Program Administrators should support Program Directors' attendance at this training and encourage efforts to improve leadership, data, and HR skills.

Further, CPS has worked to institutionalize exemplary leadership behaviors that provide a framework for positive culture and workforce retention as a part of the ongoing Leadership Challenge training for state office leadership and regional executive leadership. Casey Family Programs also worked with the leadership teams in the majority of the regions to develop leadership skills of the entire leadership team at the program director level and above. Casey Family Programs held sessions with these regions, integrating the practices of the Leadership Challenge. Supervisors and other managers should encourage attendance at and participation in any training or workshops designed to improve leadership skills.

Additional Retention Activities

In FY 17, all CPS field management participated in training regarding cultural changes and creating high-performing teams.

CPS regional leadership contact casework staff at 6, 12, 18, and 24 months of tenure to discuss their job satisfaction. Leadership and casework staff agree this effort improves morale, aids in retention, and provides opportunities for exchange of information that otherwise may not occur. Regional leadership should continue this practice.

CPS utilizes statewide and regional Caseworker and Supervisory Advisory Committees to obtain input and feedback from the field on new initiatives, policies, and practices. Regional managers should encourage staff to participate on these committees to establish a more global understanding of issues facing the agency and to develop leadership skills.

CPS continues to promote employee recognition and retention efforts, including leadership recognition awards, such as the Commissioner's Award of Excellence, CPS Award of Distinction, and Regional Director Award of Distinction. Established in December 2017, the Ramiro Hernandez Excellence in Mentoring Award recognizes the value of a quality mentoring relationship and the impact it has on professional development and career advancement at DFPS. If possible, regional managers should attend the periodic Recognition Ceremony when their staff receive awards.