

NYS OFFICE OF CHILDREN AND FAMILY SERVICES

Response to the

2012 Report and Recommendations of NYS Citizen Review Panels for Child Protective Services



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Governor Andrew M. Cuomo

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The Office of Children and Family Services' Response: New York State's Citizen Review Panels 2012 Report and Recommendations

Introduction

The New York State Office of Children and Family Services (OCFS) welcomes the opportunity to respond to the recommendations put forth by the Citizen Review Panels for improving child welfare services in New York State. The Panels have offered a thoughtful set of recommendations, and we are appreciative of the opportunity to attend the Panel meetings and to respond to the report. OCFS remains committed to a continued relationship with the Citizen Review Panels and to our shared efforts to improve outcomes for vulnerable children and families.

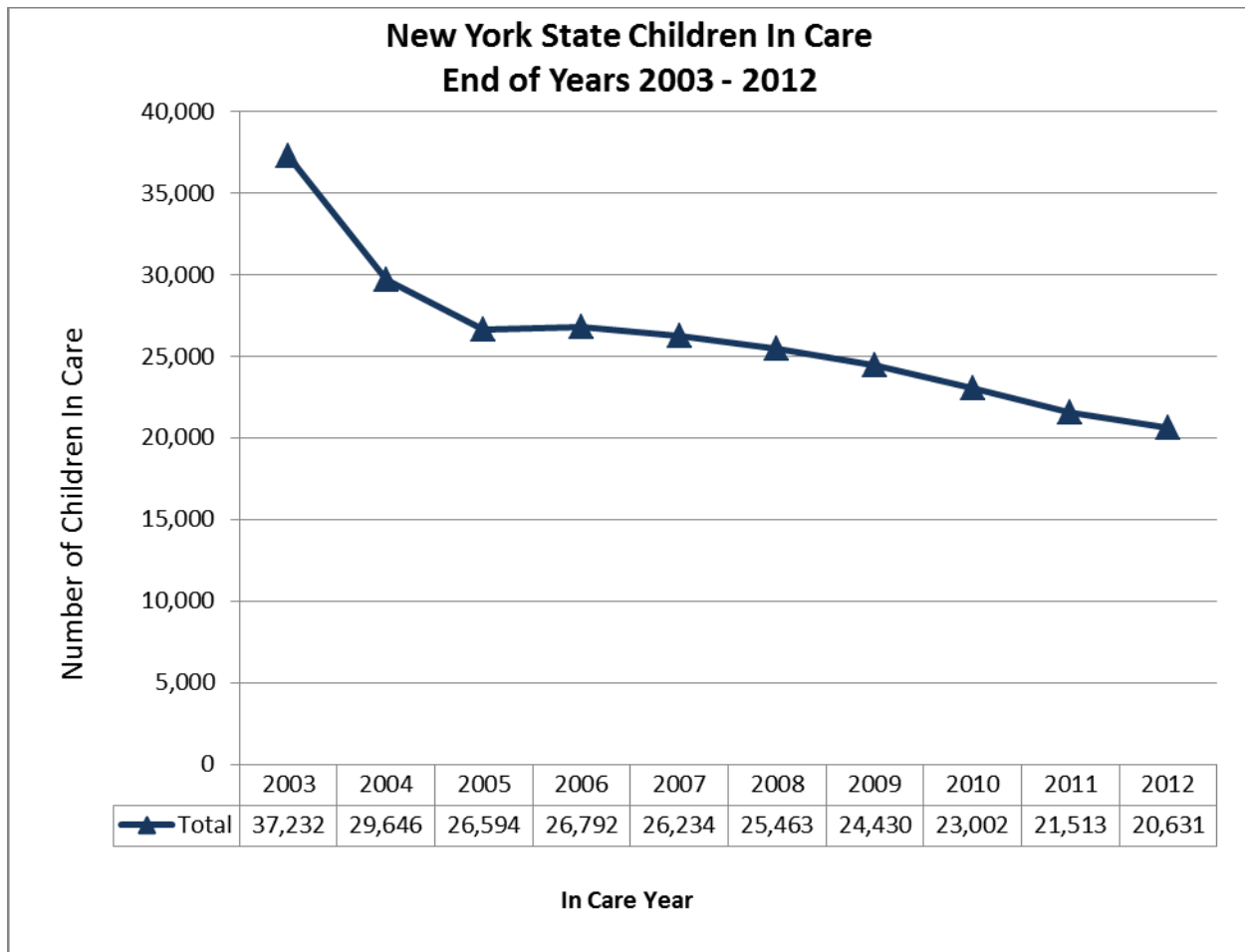
As the Panels are aware, New York is a state supervised, county administered system which is highly complex. OCFS sets policy and standards, which are locally administered, with performance and compliance monitored by the State. Systemic change in the child welfare system must be "statewide and caseworker deep" to be effective. As has been the case for the last several years, there continues to be limited resources and fiscal challenges within the state requiring us to be more strategic and innovative in our work. OCFS remains committed to working with our stakeholders to provide support and services to those individuals with the greatest needs, and to continue to move forward with our efforts toward systemic change that supports our core mission of promoting the safety, permanency and well-being of our children, families and communities.

Panel Recommendations

Prevention Funding

Reimburse open-ended preventive funding at the full 65 percent state share, as called for in New State statute. Revise New York's statute to return to a 75 percent state/25 percent local share for primary prevention and intervention services.

OCFS continues to share the commitment for open-ended preventive funding, and is working with local departments of social services (LDSS) and authorized voluntary agencies to keep children safely in their homes and to hasten their return home when out-of-home placement is necessary. In this year's enacted budget, the appropriation language for preventive services reimbursement remained uncapped at 62 percent State share and 38 percent local share net of federal funding for the current State fiscal year. We note that the number of children in out-of-home placements continues to decline, and are confident that the use of primary prevention programs both offered directly by the counties or purchased from community based organizations are making a positive impact.



As the above chart demonstrates, the number of children in foster care at the end of 2012 was 20,631, a reduction of four percent over 2011, and a decrease of 45 percent since 2003. Many counties, as well as New York City, continue to utilize evidenced-based preventive services to support families despite coping with decreasing resources.

In the enacted budget of 2012-2013 and again in 2013-2014, \$2 million dollars was made available to support Public/Private Partnerships designed to increase services for at-risk children and youth to prevent involvement with the child welfare and juvenile justice systems and/or to expedite their return home. Applicants were required to leverage private matching funds to support the State funds that were made available through a competitive Request for Proposal process. The projected contract start date is September 2013.

Family Assessment Response (FAR)

Continue to support implementation of Family Assessment Response throughout New York State.

Maintain flexibility in funding and regulations to allow local departments of social services to decide how best to implement FAR to meet individual family needs.

FAR has continued to expand across New York State and is currently in 28 counties, with New York City (Queens borough) starting on January 15, 2013. While guidelines already exist, OCFS is currently in the process of developing the formal regulations regarding the implementation of FAR. We have consulted with county child protective stakeholders throughout the process of developing the regulations, and will submit them for public comment before they are finalized and issued.

In 2012, OCFS staff developed a number of tools and resources to support the implementation of FAR. The agency issued two Local Commissioners Memorandums, one that provided information to local social services districts about how to pay for and claim the costs of goods and services to address the needs of families in FAR by using protective services funds, and another to explain the content of new FAR legislation. It also included a new FAR application, intended to clarify and simplify the application process for local districts. OCFS staff continued to develop tools that could be used by local districts in planning FAR implementation and by caseworkers in working with families. OCFS also initiated a FAR page on the OCFS Internet website, which provides information about FAR for the public, including families participating in FAR.

During 2013, OCFS will focus on increasing its capacity and the capacity of FAR counties to support quality, effective FAR services. We are accomplishing this through a variety of approaches and partnerships which include:

- Supporting the expansion of the size of the FAR program in several counties such as Suffolk and Westchester through training and coaching provided through our partnership with the Butler Institute for Families (Butler Institute);
- Partnering with Ulster and Tioga counties to develop their FAR programs, train their staff and to implement FAR;
- Continuing to support the implementation of FAR in Queens through our partnership with Casey Family Programs.
- Conducting case reviews with our Round 1 and Round 2 counties to continue to improve practice;
- Providing a series of webinars for all FAR staff throughout the state in order to further develop their capacity to provide and document FAR services;
- Meeting with teams from all of the FAR counties, Butler Institute and Casey Family Programs to assess the growth, development, successes and challenges of FAR over the past five years and to jointly develop plans of action to address challenges and build on successes;
- Continuing efforts to build our own New York State-based training capacity through a series of Train-the-Trainer events with our university-based training partners and Butler Institute;
- Developing the capacity of our own Home and Regional Office staff to support FAR through training and coaching with Butler Institute and experienced OCFS FAR supporters; and
- Launching a new build of CONNECTIONS, our child welfare/ child protective services case documentation system, that is specifically designed to support FAR documentation and case management.

Home Visiting

Develop a five year plan to implement and fund universal maternal, infant and early childhood home visiting in New York State.

OCFS supports the concept of implementing a universal maternal, infant and early childhood home visiting program. While funds have not been appropriated to do a universal program, OCFS, through the enacted 2012-2013 State budget, received \$23.3 million to provide funding for 37 Healthy Family New York (HFNY) programs. The 2013-2014 enacted budget provides for the same level of funding, which will allow us to continue these programs. OCFS, working with the NYS Department of Health (DOH), received additional federal funds to support four additional programs in 2012, and in 2013 and an additional \$1 million in federal funding will go to support one or two maternal, infant and early childhood home visiting programs.

Additionally, OCFS has been partnering with DOH, the Council on Children and Families, the Schuyler Center for Analysis and Advocacy and other advocates to explore system building at the local level. One such program of interest is the partnership between the HFNY program and the Nurse Family Partnership in the Bronx, which is exploring the use of universal triage and referral system to better serve families in that area.

Kinship Guardianship

Fund Kinship Guardianship Assistance Programs (KinGAP) as an uncapped permanency option with no reduction to the Foster Care Block Grant.

Restore funding for Kinship Caregivers Programs.

OCFS is pleased that the Kinship Guardianship Assistance (KinGAP) program is a key component of the child welfare system in New York, and is taking root in the local governments. As you know, changing the funding of the KinGAP will require legislative action. The 2013-2014 enacted State budget maintains funding for the KinGAP program for an additional year as part of the Foster Care Block Grant. It is anticipated that districts will realize administrative savings for youth placed in KinGAP as eligibility for the program is limited to children who are unlikely to return home or be adopted and therefore, may have otherwise continued in foster care.

The KinGAP program continues to grow. As of March 28, 2013, a total of 129 children have been discharged from foster care to a KinGAP arrangement since the program went into effect in April 2011. An additional 123 KinGAP applications have been approved by the local district, but haven't been finalized in court yet, and 30 applications are pending.

OCFS is continuing to promote KinGAP across the state and is regularly monitoring the KinGAP statistics as well as providing tools and assistance to districts for their KinGAP work. We are also working closely with counties to support their efforts to find families for children at risk of placement while providing them with the full array of options available to support kinship care.

We are currently funding eight Kinship Caregivers programs, and will look to continue these programs in 2013. The Navigator Program, aimed at supporting relatives, is also funded through state and federal monies. OCFS has also included information about KinGAP and Kinship Care on our OCFS website (ocfs.ny.gov).

Additionally, a total of 17 counties and four authorized voluntary agencies have been trained by Hillside Children's Center on Family Finding. Family Finding is a model that seeks to identify family relationships where they had not been previously known, and supports the development of long-term family connections. In 2013, OCFS once again dedicated additional funds to further this training. The training works with caseworkers and supervisors in identifying and locating family members for children placed in foster care and to assist in building lasting relationships and explore permanency options.

Educational Neglect

Eliminate educational neglect as a basis for child protective reporting for children 13 and older.

Identify effective practices to reduce absenteeism, educate school district personnel about these practices, and support the implementation of promising models throughout school districts in New York State.

As noted in last year's response to this recommendation, the elimination of educational neglect as a basis for a child protective report for children age 13 and older will require legislative action. This issue did not gain political traction during the 2012 or 2013 legislative sessions to date.

Many counties that are implementing FAR have reported that educational neglect reports are more appropriately managed through this differential response approach. Families often need support and assistance when older youth are not attending school, and FAR is viewed as a more viable option than an investigative response.

OCFS has collaborated with Inside Schools, Pipeline Winning Strategies, and NYC Children's Defense Fund to heighten awareness about this issue and identify and promote social service/education strategies to reduce CPS reporting of education neglect cases. The Child Welfare Organizing Project has also consulted with OCFS on its Administration for Children's Services Department of Education educational neglect diversion model.

Disproportionate Minority Representation (DMR)

Continue to address and seek to eliminate racial and ethnic disproportionality and disparities by expanding OCFS's work to additional counties through the use of data informed and data driven strategies.

Recruit more racially and ethnically diverse and bi-lingual staff to child welfare.

Require continuous staff development and education advancing cultural competence and responsiveness in child welfare.

OCFS has set out to raise the profile of this issue and the wide range of needs related to culture, ethnicity, and disparity in juvenile justice, child welfare and early childhood programming. The most unique aspect of this effort is building the capacity of OCFS leaders on all levels. The need has been recognized by the Commissioner to build capacity and to stress the importance of these issues. Two full day retreats with the same consultants helping counties has readied the OCFS executives for their next challenge: developing strategies that will weave this work seamlessly into the fabric of the agencies practice, policy, accountability, training and communications efforts in an ongoing sustainable way.

OCFS in collaboration with Casey Family Programs has worked with national consultant Khatib Waheed to provide two sessions (October 2012 and January 2013) for OCFS administrative staff on Race Equity. A third session is being planned that will focus on developing a strategic plan to move the work forward within OCFS. Also in January 2013, Mr. Waheed conducted a session with staff from our Regional Offices to enhance their ability to support the DMR work in the counties and to integrate the work as part of the ongoing planning and program development activities with the counties.

On the county level there are 11 counties (Erie, Monroe, Genesee, Onondaga, Albany, Rockland, Orange, Westchester, Nassau, Dutchess, and Suffolk) actively engaged in reducing DMR. It is anticipated that Schenectady and Columbia counties will join this group in 2013.

Data is made available to all districts by OCFS, and those with high or extreme DMR rates for Black and Hispanic children related to out-of-home care are reviewed for possible inclusion in working with OCFS. OCFS recently began to generate data for counties with racial disparity for Native American children and families.

Additionally, OCFS continues to work with Casey Family Programs and several counties that are implementing FAR and DMR initiatives to determine if there is a relationship or positive impact on those families that receive services and support through FAR.

Conclusion

In conclusion, OCFS remains highly committed to promoting the safety, permanency and well-being of children in the child welfare system in New York State, as well as to the principles of family engagement, effective casework contacts, and to developing services that meet the needs of families and children within their communities. Thank you for the opportunity to respond to the Citizen Review Panel recommendations, and we look forward to our ongoing dialogue to make continuous improvements in New York State's child welfare system.