

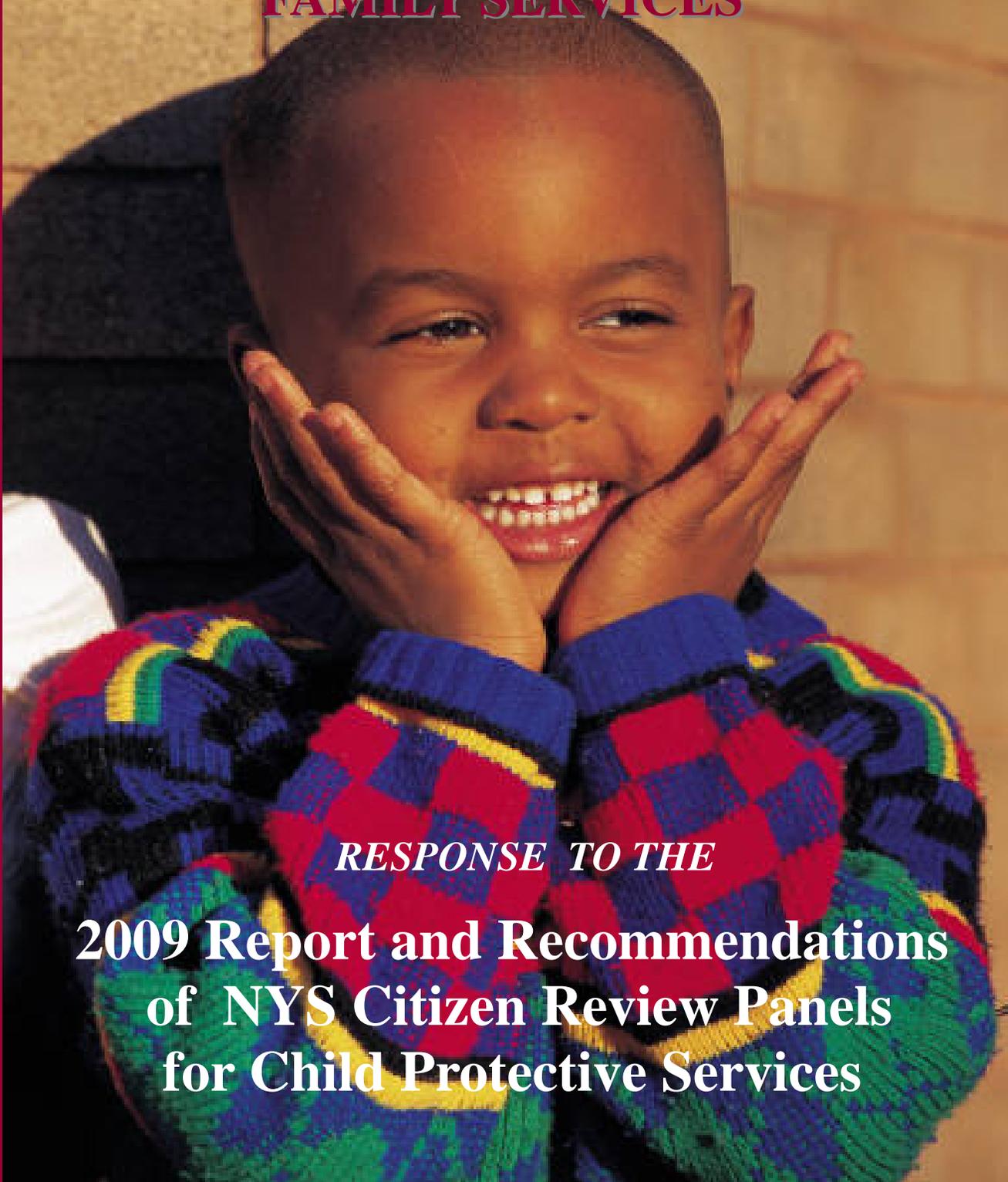


Governor David A. Paterson



Commissioner, Gladys Carrión Esq.

NYS OFFICE OF CHILDREN AND FAMILY SERVICES'



RESPONSE TO THE **2009 Report and Recommendations of NYS Citizen Review Panels for Child Protective Services**



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**The Office of Children and Family Services' Response
to the
2009 Report and Recommendations of New York State's Citizen Review Panels**

Introduction

The New York State Office of Children and Family Services (OCFS) welcomes the opportunity to respond to the Citizen Review Panels recommendations for improving child welfare services in New York State. OCFS is proud of our continued relationship with the Citizen Review Panels and our shared commitment to improve outcomes to vulnerable children and families.

As noted in your Executive Summary, resources are scarce and we continue to focus our efforts on supporting those programs that provide positive results for children and families. OCFS has been diligently working toward the system changes that the panels recommended in previous years. In 2009, OCFS commissioned a consultant, the former co-chair of the NYC Citizen Review Panel, to conduct a system-wide assessment including interviews with numerous representatives from the child welfare field across New York State. The result of this assessment is the attached document, "Ten for 2010." This paper outlines the areas of priority focus for the NYS child welfare system in 2010 and beyond. A series of forums was held in locations across the state to solicit additional input from the field. Following the conclusions of the forums, OCFS will modify the document to further define the issues raised and identify possible actions for change. This paper will become a significant source of information for the new administration in 2011 to advance a short and long term child welfare agenda.

Highlighted in this document are: targeting services at the "front door;" focusing on prevention and community-based services for families; a recognition that reducing disproportionate minority representation in child welfare is a priority; and a focus on workforce support and investments. We also discuss the importance of system accountability, child welfare financing, and cross-system collaboration.

As work proceeds in these areas, other issues emerge. For example, child welfare financing will be reauthorized in 2012 and OCFS will be developing proposals regarding the reauthorization for consideration during 2011.

Foster Care

Reduce the number of children in foster care by 50%

We agree that children should only remain in care until such time as they can safely return home. On 12/31/09, a total of 24,620 children were in foster care. This is a decrease of 48% over the number of children in care on 12/31/99, and a 17% decrease in just the last five years (12/31/04). We remain committed to reducing the number of children in care and to that end, OCFS has included in the Child and Family Services Review Program Improvement Plan (CFSR PIP) several strategies aimed at increasing

timely permanency for children in care, as well as preventing children from coming into care.

In addition, OCFS has partnered with Casey Family Programs on several initiatives aimed at achieving their national goal of a 50% reduction in the foster care population by 2020. Casey has supported our work related to the policy study of educational neglect, Family Assessment Response, accountability, and systems reform.

Family Engagement

One of the primary strategies OCFS is focusing on to improve permanency and reduce time in foster care is to address, at the local level, basic underlying beliefs regarding the principles of family engagement. Developing the caseworkers' and supervisors' knowledge base and skills, supporting cultural competency of frontline casework staff, and enhancing organizational culture and infrastructure are all necessary to support family engagement.

Family engagement work begins with the knock on the front door by child protective services. Child protective investigations are usually perceived by families as adversarial since there is, by definition, a questioning of the parents' ability to adequately care for their children. The caseworker needs to engage the family as a partner in identifying the resources and needs of the family and in securing the safety and well-being of the children.

Key components of family engagement strategies include:

- Enhancing Family Decision-making Meetings
In a Family Meeting, parents, children (if age appropriate), and relevant extended family or others identified as important to finding solutions come to the table to plan for protecting the children and keeping them safe. These meetings can help elicit information from the family which can be used in making better safety decisions and risk assessments both initially and on an ongoing basis. Topics that may be resolved and discussed at these meetings include the identification of any services the child and parents/caregivers need, a review of the child's stability, the geographic proximity of the placement, whether it is appropriate to place the siblings together, the appropriateness of the child's permanency goal, and a review of the child's educational, medical, and mental health needs.
- Enhancing Locating and Engaging Fathers and Relatives
Fathers, who too frequently have been "invisible" in the child welfare planning process, are an essential resource to their children, not only psychologically but also as a resource for helping a caseworker make better safety and risk assessments as well as being a potential permanency resource. Engaging fathers may begin with locating an absent father. Consideration of not only the father, but his entire extended family, broadens the opportunity for the child to experience meaningful family connections and potential permanency resources.

- Coached Family Visiting
When a child is placed in out of home care, focused visiting is essential to expediting a successful return home. Utilizing visiting coaches, the caseworker and the parent identify together what the parent needs to learn and to use during visiting in order to bring their child safely back home. Coached visiting focuses on the presenting issues that brought the child into care, and may include practicing a skill, developing awareness of child developmental needs, or healing a wounded relationship. An individualized visitation plan developed through coached family visiting is a key part of the overall case plan to support the child's permanency goal.
- Enhancing Concurrent Planning
When a child is placed in out of home care, the caseworker addresses the child's need for permanency with a sense of urgency. This requires the caseworker to engage the parents in developing a plan to return the child home, including identifying an alternative placement resource in the event the child is not able to return home. The caseworker must work concurrently, not sequentially, with the parent and with the identified alternative placement resource.

Family Assessment Response (FAR) and the use of Flexible Funding

We are very appreciative of the Citizens Review Panels' continued support of FAR. OCFS is committed to growing this important practice with families that are reported for suspected child maltreatment. It has been with the panels' support and the support of other key stakeholders that in 2010 there will be five new counties that will begin to use FAR – Livingston, Rensselaer, Putnam, Suffolk and Yates. By the end of 2010, 19 counties will be using FAR for a portion of their reported child maltreatment reports; and, a couple of the original counties that started using FAR with a relatively small proportion of its families are expanding their use of FAR in 2010.

While OCFS is proud of its work in implementing and growing FAR in a "pilot environment," so much of the credit needs to be attributed to our partners. The counties, especially the first six implementing counties, took a significant risk in implementing FAR, and did so primarily because they believed that this approach with some of their families would be more effective than a traditional CPS response. For a period of about a year, shortly after enactment of the original legislation, they worked with us to develop FAR in New York. They didn't receive relief from their existing operational responsibilities as they spent hours with us and their own community partners in developing FAR on the state level, as well as implementing it at the local level. They have persisted and, for the most part thrived now for over a year, helping all of us together learn both what works and how to overcome obstacles.

We were very fortunate to garner important fiscal support from the Casey Family Programs which allowed OCFS to supplement its current training contract with the American Humane Association (AHA). AHA is recognized as the national expert on CPS differential response, and they have: provided training to the participating counties;

developed a two-day FAR symposium for all participating counties; helped OCFS put together a week-long quality improvement case review; and have provided technical assistance and networking (with other states) opportunities for OCFS and the participating counties. As we now are looking to support affordable sustainability in a future environment where, we hope, most of New York's counties will choose to participate in FAR, our work with AHA is just beginning to take on a new dimension. In the current contract year, and in addition to all their on-site training and coaching, AHA is conducting monthly interactive webinars just for New York participating counties, which will alternately target caseworkers, supervisors and administrators. Toward the end of the contract year, AHA will begin activities geared toward training-the-trainers. The tentative plan is to develop core FAR expertise at OCFS, in large counties, and with our existing university child welfare training contractors.

As we look forward, in addition to developing in-state training and technical assistance capacity, there are other FAR activities that have been or will soon be initiated over the coming months:

- By the end of the year, OCFS is required to complete a report that evaluates the implementation of FAR. OCFS evaluation staff developed materials that will allow them to look at implementation in the first round counties, including looking at a comparison group and obtaining information from both FAR staff and families served by FAR. While the evaluation will have limitations due to time and financial constraints, we are optimistic that it will help make the case for "permanent" FAR legislation.
- The legislation that authorized the use of FAR expires in June 2011, which means that new legislation will be needed if FAR is to be continued. It is OCFS's operating assumption that we will propose legislation making FAR permanent in the 2011 legislative session and that such legislation will be supported by the evaluation, as well as actively supported by participating counties, consumers and community and state child welfare advocates.
- Among the various issues that need to be addressed in new legislation is the establishment of a core requirement that flexible funding be part of a county's FAR program, as well as creation of a mechanism to fund this inexpensive, but essential, service component. Evaluations of CPS differential response in other states have found that families reported for maltreatment frequently need concrete, often poverty-related assistance. We have supported FAR counties in having available small amounts of flexible funds through the use of OCFS discretionary and foundation (Marguerite Casey) funds. The funds have been used to help families in such areas as transportation, essential appliance repair, furniture/bedding, cleaning, and "rewards/incentives." We believe that providing such assistance to families results in families' greater inclination to view local child welfare staff as a support rather than a threat and a future resource if pressures/problems start to build (rather than a crisis occurring that results in higher end, more expensive services being needed). At this point, we envision such flexible funding becoming a component of

regular child welfare funding where there is approximately a 38% county share.

- We have begun to consider what a FAR- supportive CONNECTIONS application might include by reviewing the application that OCFS initially developed that had to be scaled back, as well as by reviewing what other states' systems contain. It is not clear whether this could potentially be built and implemented in 2011 or whether it would need to be placed on hold till 2012 as we prioritize necessary CONNECTIONS new programming both from a programmatic and efficient sequencing perspective.
- Related to CONNECTIONS is the issue of uniformity of approach, including documentation, as well as quality improvement. The quality improvement review that we conducted resulted in both state and county folks concluding that practice and/or documentation could be improved. There are several next steps being undertaken, including discussions with counties about what aspects of FAR practice and documentation ought to be standardized; the development of FAR documentation guidelines (first draft done by a county FAR coordinator); and a second quality improvement review to be conducted later this year. These efforts are likely to inform CONNECTIONS design, as well as, perhaps, influencing new enabling FAR legislation.

Subsidized Guardianship

The Office of Children and Family Services has provided leadership in moving subsidized guardianship forward in New York State. Chapter 58 of the Laws of 2010 has been enacted and becomes effective on April 1, 2011. Known as the "Kinship Guardianship Assistance Program," this law promotes compliance with the kinship guardianship provisions of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) and in addition provides a kinship subsidy to all otherwise eligible foster children who exit foster care to guardianship, not merely those who qualify for federal assistance.

Furthermore, OCFS acknowledges that there are many relatives raising children in our state who are not foster parents, and who are precluded from accessing this particular program. We continue to look for ways to support them, for example, with our kinship care programs around the state and the Kinship Navigator Program. OCFS especially calls to the Panels' attention an OCFS/OTDA publication we are very proud of: "**Having a Voice and a Choice: New York State Handbook for Relatives Raising Children.**" This handbook was written for relatives who are raising or considering raising children in need of a stable home because their parents are unable to take care of them. Whether a child needs a placement outside the home because of safety concerns or because of individual circumstances in the family, the handbook provides information on the various options available to relatives so that relatives can make the best decision for their own situation. The Handbook has recently been made available in Spanish.

Teaming

The Office of Children and Family Services (OCFS) began to pilot the Teaming Model in early 2007 in an effort to provide more supports to the child welfare workforce, to counter the forces that contribute to caseworker turnover such as worker stress and isolation, and to support quality decision-making in child welfare case practice.

OCFS and its training partner, the Center for Development of Human Services, continue to adapt its Teaming Model Initiative from the casework model developed by the Massachusetts Department of Social Services. Teaming is an innovative approach to casework where individualized casework is re-structured to that of teamwork, changing the organizational culture of individual responsibility for a caseload to that of team responsibility. The supervisor role shifts as well, focusing on coaching and monitoring casework through teamwork and group supervision. A primary caseworker and a secondary caseworker are assigned to a family and are assisted by other members of the team in accomplishing case tasks as needed. A group supervision process allows supervisors to focus more on facilitating and providing quality assurance for decisions.

Teams have been developed in Child Protective Services (CPS) units, Foster Care units, Preventive services units, and a combination of both foster care and preventive services. Six counties initiated the pilot in 2007 with each district team being distinct in its focus and composition. In 2008, OCFS issued a second round of invitations to join the pilot and five new teams were formed, three from counties participating in Phase I. In 2009, nine additional teams were added in a staggered implementation schedule. Phase IV of this project began in 2010 with a solicitation letter to participating counties to explore their interest in expansion. To date, there are eight additional teams that the project is fully supporting, one team is being supported internally by their district, and there is the potential for one additional team to be developed. Currently, OCFS has 25 teams operating in 14 local districts statewide. All teams participate in the Annual Teaming Symposium, where they receive a work plan and guide to teaming development, team building training and group supervision training.

In order to learn if Teaming facilitates the goals of increased worker and supervisor satisfaction and supports effective decision-making, OCFS contracted with the Social Work Education Consortium, University at Albany School of Social Welfare, for an evaluation to collect data from participating counties. This evaluation continues into 2010, with a formal report to be completed.

Prevention

In the SFY 2010-2011 Executive Budget, \$669.5 million has been allocated for open-ended, uncapped, state reimbursement for child welfare services. This is an increase of \$44.76 million. The preventive reimbursement is now 62% state share and 38% local share. While the Executive Budget recommends a cut to the Quality Enhancement Funds, \$1.796 million remain and will be used to fund programs and services aimed at improving outcomes for children and families.

OCFS is aware of the impact of the current fiscal situation on home visiting programs and other child abuse prevention programs. Our staff are in constant communication with the field to determine what support, if any, OCFS can offer as programs feel the effects of the state budget deficit. We share the concern of the panels that families needing support will be negatively impacted by the budget crisis.

Cultural Competency Training

OCFS has established a partnership with Casey Family Programs, who will broker support, training and technical assistance from other experts such as the Center for the Study of Social Policy, the Race Matters Consortium, and other Casey initiatives to work with six local districts on Disproportionate Minority Representation (DMR). The OCFS/Casey Family Programs DMR initiative is part of the work that OCFS and the districts have agreed to do to safely reduce unnecessary out-of-home placements. Addressing, reducing and ultimately eliminating racial and ethnic disparities are key to achieving this larger goal.

Pursuant to the Memorandum of Understanding with each district, OCFS will work with the district on a plan that is specific to the needs and realities of each district. Small planning grants have been made available to the districts. Local planning committees are being formed.

OCFS has provided a list of trainings and technical assistance resources available to the districts, which includes training on Cultural Competency.

Increase parents' access to information including appropriate child discipline and parental supervision.

We agree that information and guidance for parents raising children today is beneficial. We have published, disseminated and have available on the OCFS website many preventive brochures aimed at increasing parental knowledge. These include:

- Help Prevent Child Abuse (in English, Spanish, Russian, Chinese and Arabic)
- Babies Sleep Safest Alone (in English, Spanish, Russian, Chinese and Arabic)
- Keeping Sleeping Babies Safer (in English, Spanish, Russian, Chinese and Arabic)
- Helpful Tips to Keep Your Baby Safe: Safe to Sleep (in English, Spanish, Russian, Chinese and Arabic)
- Helpful Tips to Keep Your Baby Safe: Sudden Infant Death Syndrome (in English, Spanish, Russian, Chinese and Arabic)
- Helpful Tips to Keep Your Baby Safe: Traumatic Brain Injury (in English, Spanish, Russian, Chinese and Arabic)
- Helpful Tips to Keep Your Baby Safe: Shaken Baby Syndrome (in English, Spanish, Russian, Chinese and Arabic)
- Helpful Tips to Keep Your Child Safe: Safe at Play (in English, Spanish, Russian, Chinese and Arabic)
- Helpful Tips to Keep Your Child Safe: In or Around Vehicles (in English, Spanish, Russian, Chinese and Arabic)

- Personalized Safety Tips and Emergency Contact Sheet for Baby Sitters (in English and Spanish).

We have also placed several links on our website to provide information for parents on leaving your child home alone and on family dynamics and use of communication and discipline with their children.

- Healthy Children.org: (<http://www.healthychildren.org/english/family-life/family-dynamics/Pages/default.aspx>);
- Child Welfare Information Gateway, *Leaving Your Child Home Alone*: <http://www.childwelfare.gov/pubs/factsheets/homealone.pdf>; and
- Child Care Aware, *Is Your Child Ready to Stay Home Alone?*: <http://www.childcareaware.org/en/subscriptions/dailyparent/volume.php?id=9>

OCFS agrees that multiple media are best for reaching many types of vulnerable families. We continue to make this information available to caseworkers who can provide the information directly to the families they work with. For example, we have used a teleconference to reach multiple caseworkers and supervisors who come into contact with families daily. Additionally, we are currently producing a video that will be shared with a broad audience to promote our “Safe Sleeping” campaign designed to prevent infant roll-over deaths.

The panels’ report references family engagement as an important strategy in prevention and as a critical element for parent access to information. We agree, as was described in the section above related to our family engagement strategies. In addition, OCFS has supported evidenced based parenting programs such as “The Incredible Years” and “Powerful Families” in some localities. Our staff has also developed and piloted a series of electronic toolkits designed to assist caseworkers in family engagement strategies, including finding fathers, concurrent planning, and family meetings.

Although OCFS is not in a position, at this time, to redistribute funding for the Immigrant Community Partnership Initiative (ICPI), we understand that it is a program that has positive potential for replication, and this will be considered at a later time.

Educational Neglect

Eliminate educational neglect as a basis for child protective reports for children 13 years and older. Strengthen the instruction provided to SCR staff and mandated school reporters related to the role of parental responsibility in allegations of educational neglect. Increase schools’ responsibility for identifying and reducing absenteeism

OCFS is continuing to work with the Vera Institute (funded through Casey Family Programs) which is currently researching the following: alternative response models being used by the states; local and state education systems and policies related to school-based responses to chronic absenteeism and educational neglect; and a list of possible alternative responses to educational neglect for teenagers outside the child welfare system. OCFS is looking to establish a workgroup to include SED to review research

provided by Vera, to make recommendations for possible alternative response initiatives in NYS, and to create some pilot programs in localities.

Additionally, working with Vera, OCFS will seek recommendations from county officials on recommended alternative responses and will create a framework for implementing an alternative response in one county. OCFS will also ask Vera to assist us in drafting new SCR guidelines for interviewing sources alleging educational neglect.

Lastly, OCFS will seek new statutory standards governing educational neglect allegation standards for youth demonstrating truant behavior.

Previous Recommendations

Fundamental System Reform

As was stated earlier, OCFS continues to address the issues raised in previous reports related to system reform. We will provide ongoing updates on the progress of our actions at panel meetings and in subsequent reports. We continue to forge cross-systems relationships with other state agencies.

Preventive funding sufficient to bring primary, preventive services to scale in New York State

The OCFS executive budget proposed a \$77 million increase in preventive funding for counties to keep pace with the growth of preventive programs on the local level. While not every locality has access to a full range of evidenced-based programming, all regions are enrolling children in the Bridges to Health waiver program, and many other communities are developing program models to meet the needs of their families. Clearly, the fiscal environment has had a negative impact on the social service delivery system both locally and statewide. Our goal has been to maintain the core, essential services wherever possible.

Increased investments in child welfare workforce

OCFS takes very seriously the need to invest in the child welfare workforce. These investments include training and resources that can be used by front line caseworkers and supervisors. Listed below are several initiatives that are underway to support the professional development of child welfare caseworkers and supervisors.

Adoption Manual and Training

Beginning in 2009 and continuing in 2010, OCFS, worked with the National Child Welfare Resource Center for Adoption, to provide training across the state using the train-the-trainer model on adoption practices. The Adoption Competency Curriculum is designed to be a comprehensive curriculum that speaks to all the issues involved in the adoption of children and youth from the child welfare systems. The training integrated the knowledge and experiences of the participants and encouraged them to share that knowledge and those experiences with others during the course of the training. Cultural competency is a central concept in the training, including recognizing and celebrating

diversity, treating others with respect, and working to understand differences rather than to make judgments based on them.

In addition, OCFS has been working with a consultant who is writing the Adoption Services Guide for Caseworkers, which will be available on OCFS's website. The Adoption Services Guide for Caseworkers will support caseworkers who provide adoption services to children and youth in foster care, and their families. The Guide provides an overview of the basics of adoption practice and the responsibilities of adoption caseworkers, as well as policy guidelines and pertinent law and regulations. Links to additional sources of information are also included in the Guide.

Building a System of Sustainable Supports for Child Welfare Supervisors

OCFS has received approval from the U.S. Department of Health and Human Services, to implement a project that will build a system of supports for child welfare supervisors at the front line and at administrative levels in order to increase the stability and effectiveness of the workforce, improve casework practice, and enhance statewide achievement of safety, permanency and well-being for children and families. The goal is to develop, implement and maintain:

- A model of child welfare supervision that is outcome-focused, family-centered, solution-focused, data-informed and supportive of an organizational climate that fosters resilience in both staff and families
- A system of supports for supervisory practice that can be used according to the needs and capabilities of the 58 local departments of social services, including:
 - Relevant, accessible manager and supervisory training programs and delivery systems aligned with NYS's case and supervisory practice model
 - A system for coaching and mentoring supervisors in implementing practice models in alignment with the CFSR PIP strategies
 - Supports for local districts that complement their efforts to develop new staff
 - Creation of peer networks for line and administrative supervisors
 - Quality assurance and self-assessment tools to support the implementation of the supervisory practice model
 - Methods for building staff resiliency skills in order to protect new and current staff from secondary trauma and burnout

This project will be conducted in collaboration with NYS's 58 local departments of social services (LDSS), including NYC Administration of Children's Services, and with OCFS's training partner network.

Conclusion

The New York State Office of Children and Family Services is committed to working with the Citizen Review Panels toward our shared goals of reducing the need for foster care, preserving families in their communities and supporting primary prevention and intervention strategies. We have taken steps towards reducing disproportionate minority representation in the child welfare system by piloting initiatives in six counties, and we

will move forward in creating systemic change in our response to educational neglect. Our partners in change include sister state agencies, the legislature, advocates and providers across New York State. Despite the severe challenges of the economic crisis, OCFS has and will continue to address they needs of vulnerable children and their families.