

EXECUTIVE SUMMARY
Final Report: New York Child and Family Services Review
March 2009

INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the State of New York. The CFSR is the Federal Government's program for assessing the performance of State child welfare agencies with regard to achieving positive outcomes for children and families. It is authorized by the Social Security Amendments of 1994 requiring the U.S. Department of Health and Human Services (HHS) to promulgate regulations for reviews of State child and family services programs under titles IV-B and IV-E of the Social Security Act. The CFSR is implemented by the Children's Bureau (CB) of the Administration for Children and Families within HHS.

The New York CFSR was conducted the week of May 5, 2008. The period under review for the case reviews was from April 1, 2007, through May 9, 2008. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the New York State Office of Children and Family Services (OCFS)
- The State Data Profile, prepared by CB, which provides State child welfare data for fiscal year (FY) 2005, FY 2006, and the CFSR 12-month target period ending March 31, 2007
- Reviews of 64 cases (40 foster care cases and 24 in-home services cases¹) at three sites, including 31 cases in New York City, 17 cases in Onondaga County, and 16 cases in Rockland County, all of which were open child welfare agency cases at some time during the period under review
- Interviews or focus groups (conducted at all three sites and at the State level) with stakeholders including, but not limited to, children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, Tribal representatives, service providers, child advocates, court personnel, and attorneys

Background Information

The CFSR assesses State performance on 23 items relevant to 7 outcomes and 22 items pertaining to 7 systemic factors. In the Outcomes Section A of the CSFR Final Report, an overall rating of Strength or Area Needing Improvement (ANI) is assigned to each of the 23 items reviewed. An item is assigned an overall rating of Strength if 90 percent of the applicable cases reviewed were rated as a Strength. The ratings for the items are used to determine the performance of a State on the seven outcomes, each of which

¹ The CFSR usually includes 40 foster care cases and 25 in-home services cases. However, during the Onsite Review, it was discovered that one of the in-home services cases involved a child who was actually in foster care. This case was dropped from the sample.

incorporates one or more of the individual items. Depending on item ratings, an outcome can be Substantially Achieved, Partially Achieved, or Not Achieved. For a State to be in substantial conformity with a particular outcome, 95 percent of the cases reviewed must be rated as having Substantially Achieved the outcome. Two outcomes—Safety Outcome 1 and Permanency Outcome 1—also are evaluated based on State performance with regard to six national data indicators. For a State to be in substantial conformity with these outcomes, both the national standards for each data indicator and the case review requirements must be met.

In the Systemic Factors Section B of the report, each item incorporated in each systemic factor is rated as either a Strength or an ANI based on whether State performance on the item meets Federal policy requirements as specified for the Child and Family Services Plan (CFSP). Information relevant to each systemic factor comes primarily from the Statewide Assessment and the stakeholder interviews conducted during the week of the onsite CFSR. Depending on item ratings, a systemic factor can be either “in substantial conformity” or “not in substantial conformity.” The criteria for rating each systemic factor are shown in the table below.

Rating the Systemic Factor			
Not in Substantial Conformity		In Substantial Conformity	
1	2	3	4
None of the CFSP or program requirements are in place.	Some or all of the CFSP or program requirements are in place, but more than one of the requirements fail to function as described in each requirement.	All of the CFSP or program requirements are in place, and no more than one of the requirements fails to function as described in each requirement.	All of the CFSP or program requirements are in place and functioning as described in each requirement.

A State that is not in substantial conformity with a particular outcome or systemic factor must develop and implement a Program Improvement Plan (PIP) to address that outcome or systemic factor. Because the focus of the CFSR process is on continuous quality improvement, standards are set high to ensure ongoing attention to the goal of achieving positive outcomes for children and families with regard to safety, permanency, and well-being.

Many changes have been made between the first and second CFSR review cycles. These changes were based on lessons learned during the first round and in response to feedback from the child welfare field. Consequently, a State’s performance in the second round of the CFSR is not directly comparable to its performance in the first round, particularly with regard to comparison of percentages for performance on the outcomes and items. Key changes in the process that make it difficult to compare performances across reviews are the following:

- An increase in the sample size from 50 to 65 cases
- Stratification of the sample to ensure a minimum number of cases in key program areas, resulting in variations in the number of cases relevant for specific outcomes and items
- Changes in criteria for specific items to increase consistency and to ensure an assessment of critical areas, such as child welfare agency efforts to involve noncustodial parents

Key Findings of the New York 2008 CFSR

Although New York was not in substantial conformity with any of the outcomes assessed, New York's 2008 CFSR identified the following areas of high performance with regard to specific items:

- Item 1, which pertains to the timeliness of investigations, was rated as a Strength in 100 percent of applicable cases.
- Item 5, which pertains to foster care reentry, was rated as a Strength in 92 percent of applicable cases.
- Item 10, which pertains to meeting the permanency needs of children with a case plan goal of other planned permanent living arrangement (OPPLA), was rated as a Strength in both of the applicable cases.
- Item 11, which pertains to proximity of children's placements to their parents or close relatives, was rated as a Strength in 94 percent of applicable cases.
- Item 22, which pertains to meeting children's physical health needs, was rated as a Strength in 94 percent of applicable cases.

The State also met the national standard for the data indicator pertaining to placement stability (Composite 4).

In addition, although New York did not achieve the 90 percent or higher required for an overall rating of Strength, the State performed at a fairly high level on the following items:

- Item 6, which pertains to placement stability, was rated as a Strength in 87.5 percent of the foster care cases.
- Item 23, which pertains to children's mental health needs, was rated as a Strength in 86 percent of the applicable cases.

Despite these areas of high performance, New York's performance on the following outcomes is a concern for the State:

- Well-Being Outcome 1 (Families have enhanced capacity to provide for children's needs) was substantially achieved in only 34.4 percent of the 64 cases reviewed.
- Permanency Outcome 1 (Children have permanency and stability in their living situations) was substantially achieved in only 40 percent of the 40 foster care cases reviewed.
- Permanency Outcome 2 (The continuity of family relationships and connections is preserved) was substantially achieved in only 42.5 percent of the 40 foster care cases reviewed.

Also, New York did not meet the national standards for the safety-related data indicators pertaining to the absence of maltreatment recurrence and the absence of maltreatment of children in foster care by their foster parents or facility staff members. Finally, New York did not meet the national standards for the data indicators pertaining to the timeliness and permanency of reunification (Permanency Composite 1), the timeliness of adoptions (Permanency Composite 2), and achieving permanency for children in foster care for extended periods of time (Permanency Composite 3).

With regard to individual items, the most critical concern identified pertained to achieving adoptions in a timely manner, which was rated as a Strength in only 18 percent of the applicable cases. For the following items, less than 50 percent of the cases were rated as a Strength:

- Item 13—Visiting with parents and siblings in foster care (47 percent of applicable cases rated as a Strength)
- Item 15—Relative placements (45 percent of applicable cases rated as a Strength)
- Item 16—Relationship of child in foster care with parents (42 percent of applicable cases rated as a Strength)
- Item 17—Needs and services of child, parents, and foster parents (36 percent of cases rated as a Strength)
- Item 18—Child and parent involvement in case planning (43 percent of applicable cases rated as a Strength)
- Item 20—Caseworker visits with parents (39 percent of applicable cases rated as a Strength)

New York’s performance with regard to the outcomes experienced by children and families served by the State’s child welfare system may be attributed in part to concerns about some of the systemic factors. Although New York was found to be in substantial conformity with the systemic factors of Quality Assurance (QA) System and Agency Responsiveness to the Community, the State was not in substantial conformity with any of the other systemic factors. Performance on the two systemic factors of Case Review System and Training, in particular, may have critical implications for the State’s performance with regard to achieving permanency in a timely manner, ensuring sufficient attention to assessing and meeting the service needs of parents and children, and involving parents and children in case planning.

Specific information regarding the State’s performance on the safety and permanency outcomes is presented in table 1 at the end of the Executive Summary. Findings pertaining to performance on the well-being outcomes are presented in table 2. Table 3 presents a summary of the State’s performance with regard to the seven systemic factors assessed through the CFSR. In the following sections, key findings are summarized for each outcome and systemic factor. Information also is provided about the State’s performance on each outcome and systemic factor during its first CFSR, which was conducted in FY 2001.

I. KEY FINDINGS RELATED TO OUTCOMES

Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect

Safety Outcome 1 incorporates two indicators. One pertains to the timeliness of initiating a response to a child maltreatment report (item 1), and the other relates to the recurrence of substantiated or indicated maltreatment (item 2). Safety Outcome 1 also incorporates two national data indicators for which national standards have been established—the absence of maltreatment recurrence and the absence of maltreatment of children in foster care by foster parents or facility staff.

New York is not in substantial conformity with Safety Outcome 1. The outcome was determined to be substantially achieved in 89.7 percent of the applicable cases, which is less than the 95 percent required for a rating of substantial conformity. Although the State was highly effective with regard to initiating investigations in a timely manner, children experienced at least two substantiated maltreatment incidents within a 6-month period in 16 percent of the applicable cases reviewed. New York also did not meet the national standards for the safety-related data indicators pertaining to the absence of maltreatment recurrence and the absence of maltreatment of children in foster care by foster parents or facility staff.

New York did not achieve substantial conformity with Safety Outcome 1 during its 2001 CFSR and was required to address this outcome in its PIP. The key concern in the 2001 CFSR was that New York did not meet the national standards for maltreatment recurrence or for maltreatment of children in foster care by foster parents or facility staff. To address this concern, New York implemented the following key strategies in its PIP:

- Modified the New York’s statewide data system (CONNECTIONS) to allow staff to reclassify a “subsequent” report as a “duplicate” report, when appropriate
- Developed and distributed a model foster parent manual to local districts and voluntary agencies that provides clarity regarding the roles, responsibilities, and expectations for foster parents
- Developed and delivered training to strengthen the crisis intervention and de-escalation techniques used in congregate care settings
- Developed and trained on appropriate and safe restraint techniques
- Designed and implemented Institutional Abuse Prevention/Violence Prevention training and technical assistance targeted for executive directors and administrators of congregate care facilities
- Trained State Institutional Abuse investigation staff to strengthen investigative and prevention efforts

The State met its target goals for this outcome by the end of its PIP implementation period.

Safety Outcome 2: Children are safely maintained in their homes when possible and appropriate

Performance on Safety Outcome 2 is assessed through two indicators. One indicator (item 3) addresses the issue of child welfare agency efforts to prevent children’s removal from their homes by providing services to the families that ensure children’s safety while they remain in their homes. The other indicator (item 4) pertains to the child welfare agency’s efforts to reduce the risk of harm to the children.

New York is not in substantial conformity with Safety Outcome 2. The outcome was determined to be substantially achieved in 70.3 percent of the cases reviewed, which is less than the 95 percent required for a rating of substantial conformity. Items 3 and 4 were rated as ANIs due to the following:

- There were insufficient safety and risk assessments in some cases, resulting in children being left at risk in their homes.
- There was a lack of consistent service provision even when service needs were identified.

- The services that were provided were not always sufficient to ensure safety.
- Families were not consistently engaged in services, which resulted in safety concerns for the children.

New York was in substantial conformity with Safety Outcome 2 in its 2001 CFSR and was not required to address the outcome in its PIP.

Permanency Outcome 1: Children have permanency and stability in their living situations

There are six indicators incorporated in the assessment of Permanency Outcome 1, although not all of them are relevant for all children. The indicators pertain to the child welfare agency efforts to prevent foster care reentry (item 5), ensure placement stability for children in foster care (item 6), and establish appropriate permanency goals for children in foster care in a timely manner (item 7). Depending on the child's permanency goal, the remaining indicators focus on the child welfare agency efforts to achieve permanency goals (such as reunification, guardianship, adoption, and permanent placement with relatives) in a timely manner (items 8 and 9) or to ensure that children who have OPPLA as a case goal are in stable placements and adequately prepared for eventual independent living (item 10).

New York is not in substantial conformity with Permanency Outcome 1. This determination was based on the following findings:

- The outcome was substantially achieved in only 40 percent of the 40 foster cases reviewed, which is less than the 95 percent required for substantial conformity.
- The State did not meet the national standards for the national data indicators pertaining to the timeliness and permanency of reunification (Composite 1), the timeliness of adoptions (Composite 2), and achieving permanency for children in foster care for extended time periods (Composite 3).

However, New York met the national standards for the data indicator pertaining to placement stability (Composite 4).

For this outcome, item 5 was rated as a Strength in 92 percent of the cases, and item 6 was rated as a Strength in 87.5 percent of the cases. The following concerns were identified for the other items assessed for Permanency Outcome 1:

- The agency was not consistently establishing appropriate permanency goals for children in a timely manner.
- The agency met the Adoption and Safe Families Act (ASFA) requirements with regard to seeking termination of parental rights (TPR) in 62 percent (13 cases) of 21 applicable cases.
- There was a general lack of sufficient effort to achieve reunification or guardianship in a timely manner.
- There were frequent court-related and agency-related factors that resulted in delays in achieving adoptions.

New York also was not in substantial conformity with Permanency Outcome 1 in its 2001 CFSR and was required to address the outcome in its PIP. In the 2001 CFSR, all items except item 5 (foster care reentry) were rated as ANIs. The following key concerns were identified in the 2001 CFSR:

- In some cases, the goal of OPPLA was established when children were younger than age 16 and prior to full consideration of other permanency options.
- Reunification was not achieved in a timely manner in many cases.
- The agency was not consistent with regard to filing for TPR in a timely manner.
- Adoptions were not achieved in a timely manner.

To address these concerns, New York implemented the following strategies as part of its PIP:

- Reviewed the effectiveness of various group conferencing models in order to identify the most effective models for involving and engaging families to decrease the time required to achieve permanency
- Strengthened visitation practices to better support the frequency and quality of visitation needed for timely reunification
- Created a team composed of agency staff and court personnel to serve as a forum for identifying barriers to timely permanency and strategies to address those barriers
- Created policy and practice guidelines regarding service provision to adolescents who are likely to transition from foster care to independent living

The State met its target goals for this outcome by the end of its PIP implementation period.

Permanency Outcome 2: The continuity of family relationships and connections is preserved for children

Permanency Outcome 2 incorporates six indicators that assess the child welfare agency's performance with regard to (1) placing children in foster care in close proximity to their parents and close relatives (item 11); (2) placing siblings together (item 12); (3) ensuring frequent visitation between children and their parents and between children and their siblings in foster care (item 13); (4) preserving connections of children in foster care with extended family, community, cultural heritage, religion, and schools (item 14); (5) seeking relatives as potential placement resources (item 15); and (6) promoting the relationship between children and their parents while the children are in foster care (item 16).

New York is not in substantial conformity with Permanency Outcome 2. The outcome was determined to be substantially achieved in 42.5 percent of the cases, which is less than the 95 percent or higher required for substantial conformity. Although item 11 was rated as a Strength, all other items assessed for this outcome were rated as ANIs. The following key concerns were identified in the case reviews:

- Agency practice is inconsistent with regard to placing siblings together when appropriate.

- In several cases, the frequency and/or quality of visits between children and their fathers, mothers, or siblings was insufficient to meet the needs of the child.
- There was a lack of concerted effort in some cases to maintain the child’s connections with extended family, culture, religion, community, and school.
- There was inconsistency in practice with regard to agency efforts to locate and assess maternal and paternal relatives as potential placement resources for children in foster care.
- There was inconsistency in practice with regard to agency efforts to support or maintain the bond between children in foster care and their mothers and fathers.

New York also was not in substantial conformity with Permanency Outcome 2 in its 2001 CFSR, when all items incorporated in this outcome were rated as Strengths except for items 13 and 16. The key concerns identified during the 2001 CFSR with respect to these two items were the following:

- The agency was not consistent in supporting visitation between children and their parents, particularly their fathers (item 13).
- The agency was not consistent in making diligent efforts to support or maintain the bond between children and their mothers and fathers through efforts other than arranging visitation (item 16).

To address these concerns, New York implemented the following strategies in its PIP:

- Researched and implemented a preferred visitation model that included strategies to encourage engagement of fathers
- Developed a self-assessment tool to assist districts in identifying Strengths and ANIs in their visitation practices
- Modified CONNECTIONS to support a strengthened visitation component in the case plan

The State met its target goals for this outcome by the end of its PIP implementation period.

Well-Being Outcome 1: Families have enhanced capacity to provide for their children’s needs

Well-Being Outcome 1 incorporates four indicators. One pertains to the agency’s efforts to ensure that the service needs of children, parents, and foster parents are assessed and that the necessary services are provided to meet identified needs (item 17). A second indicator examines agency efforts to actively involve parents and children (when appropriate) in the case planning process (item 18). The two remaining indicators examine the frequency and quality of caseworker contacts with the children in their caseloads (item 19) and with the children’s parents (item 20).

New York is not in substantial conformity with Well-Being Outcome 1. The outcome was determined to be substantially achieved in only 34.4 percent of the cases reviewed, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in only 40 percent (16 cases) of the 40 foster care cases and only 25 percent (6 cases) of the 24 in-home

services cases. In the 2008 CFSR, all items incorporated in this outcome were rated as ANIs. Key concerns identified in the 2008 CFSR reflect a lack of consistency on the part of the agency with regard to the following:

- Assessing and addressing the service needs of fathers, mothers, children, and foster parents
- Involving children, mothers, and particularly fathers in case planning
- Ensuring that caseworkers are visiting children with sufficient frequency and that the visits focus on issues pertinent to case planning, service delivery, and goal attainment
- Ensuring that caseworkers are visiting parents, particularly fathers, with sufficient frequency and that visits with parents focus on issues pertinent to case planning, service delivery, and goal attainment

New York also was not in substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP. The following key concerns were identified in the 2001 CFSR:

- Service plans lacked clear documentation of assessment of service needs for all relevant parties, and needed services identified in service plans were sometimes delayed or not initiated (item 17).
- Service planning did not use a family-centered approach and did not effectively engage families (item 18).
- The agency was not consistent with regard to efforts to locate and engage fathers in case planning (item 18).

To address these concerns, the State implemented the following strategies in its PIP:

- Developed and implemented a family-focused case planning and service review process
- Evaluated family conferencing models to identify effective models for encouraging engagement of parents and children in case planning and developed and supported implementation of the chosen model
- Created new strategies for locating birth fathers and involving them in case planning and decision-making processes

The State met its target goals for this outcome by the end of its PIP implementation period.

Well-Being Outcome 2: Children receive appropriate services to meet their educational needs

There is only one indicator for Well-Being Outcome 2. It pertains to the agency efforts to address and meet the educational needs of children in both foster care and in-home services cases (item 21).

New York is not in substantial conformity with Well-Being Outcome 2. Reviewers determined that the outcome was substantially achieved in 88.5 percent of the applicable cases, which is less than the 95 percent required for substantial conformity. Four of the six cases that did not achieve this outcome were foster care cases, and two were in-home cases. The key concerns with regard to this outcome were the following:

- In four cases, there was a lack of assessment of educational needs, despite information that an educational assessment was warranted.

- In two cases (one in-home services case and one foster care case), children had been out of school for longer than 1 year, and the agency had not addressed this concern.

New York was in substantial conformity with this outcome in its 2001 CFSR and was not required to address the outcome in its PIP.

Well-Being Outcome 3: Children receive adequate services to meet their physical and mental health needs

This outcome incorporates two indicators that assess agency efforts to meet children's physical health (item 22) and mental health (item 23) needs.

New York is not in substantial conformity with Well-Being Outcome 3. The outcome was determined to be substantially achieved in 84.2 percent of the applicable cases, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 83 percent (33 cases) of the 40 foster care cases and 88 percent (15 cases) of the 17 applicable in-home services cases. Key findings of the 2008 CFSR indicate that, although children's physical health needs were addressed in a consistent manner, mental health service needs were not consistently assessed or addressed.

New York also was not in substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP. In the 2001 CFSR, item 22 was rated as a Strength and item 23 was rated as an ANI. The key concerns identified in the 2001 CFSR were the following:

- Long waiting lists for mental health services
- Insufficient quality of mental health assessments
- Insufficient quantity of mental health service providers

To address these concerns, New York implemented the following strategies as part of its PIP:

- Caseworkers were required to assess the behavioral and mental health needs of every child in foster care and document the assessment in CONNECTIONS, which was enhanced to support these assessments.
- OCFS developed an assessment tool for foster parents to use to identify mental or physical health needs of children in their care.
- OCFS participated in the Coordinated Children's Services Initiative, which is a cross-system statewide team established to identify systemic barriers to the provision of mental health services and to develop strategies for overcoming identified barriers.

The State met its target goals for this outcome by the end of its PIP implementation period.

II. KEY FINDINGS RELATED TO SYSTEMIC FACTORS

Statewide Information System

Substantial conformity with the systemic factor of Statewide Information System is determined by whether the State is operating an information system that can inform users immediately about the status, demographic characteristics, location, and case goals for the placement of every child in foster care.

New York is not in substantial conformity with the systemic factor of Statewide Information System. The key finding of the 2008 CFSR is that, although CONNECTIONS can readily identify the legal status, demographic characteristics, location, and goals for each child in foster care, there are concerns about the reliability and currency of the data, particularly with regard to children's case goals.

New York was not in substantial conformity with this factor in its 2001 CFSR and was required to address the factor in its PIP. The key concern identified during the 2001 CFSR was that the State was using multiple information systems that provided most but not all of the required information to track the status, demographics, location, and goals for children in foster care. To address this concern, the State made changes to its statewide information system to enhance the existing reporting and processing of data needed to identify and track all children in foster care. New York met its target goals for this systemic factor by the end of its PIP implementation period.

Case Review System

Five indicators are used to assess the State's performance for the systemic factor of a Case Review System. The indicators examine development of case plans and parent involvement in that process (item 25), the consistency of 6-month case reviews (item 26) and 12-month permanency hearings (item 27), implementation of procedures to seek TPR in accordance with the timeframes established in ASFA (item 28), and notification and inclusion of foster and pre-adoptive parents and relative caregivers in case reviews and hearings (item 29).

New York is not in substantial conformity with the systemic factor of a Case Review System. All items assessed for this systemic factor were rated as ANIs. The following concerns were identified during the 2008 CFSR:

- Parents were not consistently involved in case planning.
- Periodic reviews and permanency hearings were not being held in a timely manner across the State. This was attributed to high judicial caseloads, crowded court dockets, and the need to grant continuances when permanency reports were not disseminated to key parties in a timely manner.
- The State was not consistent with regard to meeting the ASFA requirements for filing a TPR petition and documenting compelling reasons when a TPR petition was not filed.
- The notification of caregivers regarding case reviews and permanency hearings was not occurring on a consistent basis across the State, and some foster parents were not aware that they had the right to be heard in a review or hearing.

The State was not in substantial conformity with this systemic factor during its 2001 CFSR and was required to address the factor in its PIP. The following key concerns relevant to the Case Review System were identified in the 2001 CFSR:

- The State was not consistent in involving parents, particularly fathers, in the development of case plans.
- The State was not consistent with regard to holding permanency hearings in a timely manner.
- The State was not consistent regarding filing a TPR petition in accordance with the timeframes established by ASFA.

To address these concerns, New York implemented the following strategies in its PIP:

- Developed a system to measure the involvement of families in the case planning process
- Evaluated the effectiveness of various group-conferencing models in order to implement the model that was found to be most effective in involving family members in the case planning process
- Convened a statewide team to identify strategies to overcome the barriers to timely permanency hearings
- Assessed barriers to timely TPR and implemented strategies to overcome barriers

New York met its target goals for this systemic factor by the end of its PIP implementation period.

Quality Assurance System

Performance with regard to the systemic factor of a QA System is based on whether the State has developed standards that ensure the safety and health of children in foster care (item 30) and whether the State is operating a statewide QA system that evaluates the quality and effectiveness of services and measures program strengths and ANIs (item 31).

New York is in substantial conformity with the systemic factor of a QA System. Both items assessed for this factor were rated as Strengths. The State also was in substantial conformity with this factor in its 2001 CFSR and was not required to address the factor in its PIP.

Training

The systemic factor of Training incorporates an assessment of the State's training program for new caseworkers (item 32), ongoing training for agency staff (item 33), and training for foster and adoptive parents (item 34).

New York is not in substantial conformity with the systemic factor of Training. Although item 34 pertaining to training for foster parents and congregate care facility staff was rated as a Strength, the two items pertaining to initial and ongoing training for caseworkers were rated as ANIs. The key concerns with regard to these two items were the following:

- Caseworkers in the voluntary agencies have full case management and decision-making responsibilities in their cases that are equivalent to caseworkers in the public agencies. However, most caseworkers in the voluntary agencies do not receive equivalent training and often carry caseloads prior to completion of training.
- The initial training provided to staff is not sufficient to prepare them to carry out their responsibilities while managing a full caseload.
- Although 6 hours of ongoing training are required by the State, it often is difficult for caseworkers to access ongoing training because of time constraints due to high caseloads and the cost of transportation.

New York was in substantial conformity with this factor in its 2001 CFSR and was not required to address the factor in its PIP.

Service Array

The assessment of the systemic factor of Service Array addresses three questions: Does the State have in place an array of services that meet the needs of children and families served by the child welfare agency (item 35)? Are the services accessible to families and children throughout the State (item 36)? Can services be individualized to meet the unique needs of the children and families served by the child welfare agency (item 37)?

New York is not in substantial conformity with the systemic factor of Service Array. The State was rated as a Strength with regard to the effectiveness of individualizing services to meet the needs of children and families due to the availability of flexible funds and the State match for preventive services (item 37). However, the general array of services and the accessibility of services in all areas of the State were rated as ANIs (items 35 and 36). The key finding was that, although New York has an array of services, there are delays in achieving permanency due to a lack of adequate services, particularly mental health, substance abuse treatment, and post-adoption services. The lack of post-adoption services was cited as a key barrier in recruiting adoptive homes for children in the foster care system. In addition, there are many services in the State that are not accessible to families and children in all jurisdictions. This limited accessibility results in long waiting lists and/or long distances for clients to travel in order to receive critical services such as mental health services. The lack of accessibility of services was noted to be particularly problematic in the State's 44 rural counties but also was identified as a concern in New York City.

New York was not in substantial conformity with this factor in its 2001 CFSR and was required to address the factor in its PIP. The 2001 CFSR identified the following key concerns with regard to Service Array:

- Lack of housing for youth and emergency placements for youth who voluntarily leave foster care
- Lack of critical services for clients with substance abuse, sexual abuse, or mental health concerns
- Lack of therapeutic foster homes
- Lack of adequate placement resources for older adolescents, large sibling groups, and children with special needs
- Lack of aftercare services, particularly post-adoption services

- Insufficient number of dentists who will accept Medicaid
- Lack of child psychiatric and psychological services

To address these concerns, the State implemented the following strategies in its PIP:

- Participated in the management structure of the Coordinated Children's Services Initiative, which advocates for meeting the service needs of children in the child welfare system by addressing gaps in services
- Enhanced the accessibility of services by establishing a new child welfare financing system that provides an increased share of State funds for an array of non-foster care services through the agency's participation in the Integrated County Planning project

The State achieved its goals for this systemic factor during its PIP implementation period.

Agency Responsiveness to the Community

Performance with regard to the systemic factor of Agency Responsiveness to the Community incorporates an assessment of the State's consultation with external stakeholders in developing the CFSP (items 38 and 39) and the extent to which the State coordinates child welfare services with services or benefits of other Federal or Federally-assisted programs serving the same population (item 40).

New York is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. All three items assessed for this factor were rated as Strengths. The CFSR found that the State has routine and comprehensive mechanisms for seeking input from stakeholders regarding the CFSP and the Annual Progress and Services Report. The State also collaborates with other Federal and Federally-assisted programs to ensure coordinated service delivery.

The State was in substantial conformity with this systemic factor in its 2001 CFSR and was not required to address the factor in its PIP.

Foster and Adoptive Parent Licensing, Recruitment, and Retention

The assessment of this systemic factor focuses on the State's standards for foster homes and child care institutions (items 41 and 42), the State's compliance with Federal requirements for criminal background checks for foster and adoptive parents (item 43), the State's efforts to recruit foster and adoptive parents that reflect the ethnic and racial diversity of foster children (item 44), and the State's activities with regard to using cross-jurisdictional resources to facilitate permanent placements for waiting children (item 45).

New York is not in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. Although items 42, 43, and 45 were rated as Strengths, items 41 and 44 were rated as ANIs. The key concerns with regard to those two items were the following:

- Although New York has developed standards for licensing foster care homes and congregate care facilities, these standards are not being implemented consistently across the State. This was attributed to the fact that the standards lack clarity and therefore are interpreted in different ways across the State.
- New York does not have a systematic and comprehensive process in place for the targeted recruitment of foster homes that reflect the racial and ethnic characteristics of the children in foster care.

The State was in substantial conformity with this factor in its 2001 CFSR and was not required to address the factor in its PIP.

Table 1. New York CFSR Ratings for Safety and Permanency Outcomes and Items

Outcomes and Indicators	Outcome Ratings			Item Ratings	
	In Substantial Conformity?	Percent Substantially Achieved*	Met National Standards?	Rating**	Percent Strength
Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect	No	89.7	No		
Item 1: Timeliness of initiating investigations of reports of child maltreatment				Strength	100
Item 2: Repeat maltreatment				ANI	84
Safety Outcome 2: Children are safely maintained in their homes when possible and appropriate	No	70.3			
Item 3: Services to prevent removal				ANI	76
Item 4: Risk of assessment and safety management				ANI	73
Permanency Outcome 1: Children have permanency and stability in their living situations	No	40	Met C4; did not meet C1, C2, or C3		
Item 5: Foster care reentries				Strength	92
Item 6: Stability of foster care placement				ANI	87.5
Item 7: Permanency goal for child				ANI	62.5
Item 8: Reunification, guardianship, or permanent placement with relatives				ANI	62.5
Item 9: Adoption				ANI	18
Item 10: Other planned permanent living arrangement				Strength	100
Permanency Outcome 2: The continuity of family relationships and connections is preserved	No	42.5			
Item 11: Proximity of foster care placement				Strength	94
Item 12: Placement with siblings				ANI	77
Item 13: Visiting with parents and siblings in foster care				ANI	47
Item 14: Preserving connections				ANI	71
Item 15: Relative placement				ANI	45
Item 16: Relationship of child in care with parents				ANI	42

* 95 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for the State to be in substantial conformity with the outcome.

** Items may be rated as a Strength or an ANI. For an overall rating of Strength, 90 percent of the cases must be rated as a Strength.

Table 2. New York CFSR Ratings for Child and Family Well-Being Outcomes and Items

Outcomes and Items	Outcome Ratings		Item Ratings	
	In Substantial Conformity?	Percent Substantially Achieved*	Rating**	Percent Strength
Well-Being Outcome 1: Families have enhanced capacity to provide for children’s needs	No	34.4		
Item 17: Needs and services of child, parents, and foster parents			ANI	36
Item 18: Child and family involvement in case planning			ANI	43
Item 19: Caseworker visits with child			ANI	83
Item 20: Caseworker visits with parents			ANI	39
Well-Being Outcome 2: Children receive services to meet their educational needs	No	88.5		
Item 21: Educational needs of the child			ANI	88.5
Well-Being Outcome 3: Children receive services to meet their physical and mental health needs	No	84.2		
Item 22: Physical health of the child			Strength	94
Item 23: Mental health of the child			ANI	86

* 95 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for the State to be in substantial conformity with the outcome.

** Items may be rated as a Strength or an ANI. For an overall rating of Strength, 90 percent of the cases reviewed for the item (with the exception of item 21) must be rated as a Strength. Because item 21 is the only item for Well-Being Outcome 2, the requirement of a 95-percent Strength rating applies.

Table 3: New York CFSR Ratings for Systemic Factors and Items

Systemic Factors and Items	In Substantial Conformity?	Score*	Item Rating**
Statewide Information System	No	2	
Item 24: The State is operating a statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care			ANI
Case Review System	No	1	
Item 25: The State provides a process that ensures that each child has a written case plan to be developed jointly with the child’s parents that includes the required provisions			ANI
Item 26: The State provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review			ANI
Item 27: The State provides a process that ensures that each child in foster care under the supervision of the States has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter			ANI
Item 28: The State provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act			ANI
Item 29: The State provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child			ANI
Quality Assurance System	Yes	4	
Item 30: The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of children			Strength
Item 31: The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the Child and Family Services Plan (CFSP) are provided, evaluates the quality of services, identified strengths and needs of the service delivery system, provides relevant reports, and evaluations program improvement measures implemented			Strength
Training	No	2	
Item 32: The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services			ANI
Item 33: The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP			ANI
Item 34: The States provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children			Strength

Systemic Factors and Items	In Substantial Conformity?	Score	Item Rating**
Service Array	No	2	
Item 35: The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency			ANI
Item 36: The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP			ANI
Item 37: The services in item 35 can be individualized to meet the unique needs of children and families served by the agency			Strength
Agency Responsiveness to the Community	Yes	4	
Item 38: In implementing the provisions of the CFSP, the State engages in ongoing consultation with Tribal representatives, consumers, services providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP			Strength
Item 39: The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP			Strength
Item 40: The State's services under the CFSP are coordinated with services or benefits of other Federal or Federally-assisted programs serving the same population			Strength
Foster and Adoptive Parent Licensing, Recruitment, and Retention	No	2	
Item 41: The State has implemented standards for foster family homes and child care institutions which are reasonably in accord with recommended national standards			ANI
Item 42: The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds			Strength
Item 43: The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children			Strength
Item 44: The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom adoptive homes are needed			ANI
Item 45: The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children			Strength

* Scores range from 1 to 4. A score of 1 or 2 means that the factor is not in substantial conformity. A score of 3 or 4 means that the factor is in substantial conformity.

** Items may be rated as a Strength or as an ANI.

Final Report
New York Child and Family Services Review
March 2009

U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Children, Youth and Families
Children's Bureau

INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the State of New York. The CFSR is the Federal Government's program for assessing the performance of State child welfare agencies with regard to achieving positive outcomes for children and families. It is authorized by the Social Security Amendments of 1994 requiring that the Department of Health and Human Services (HHS) promulgate regulations for reviews of State child and family services programs under titles IV-B and IV-E of the Social Security Act. The CFSR is implemented by the Children's Bureau (CB) of the Administration for Children and Families within HHS.

The New York CFSR was conducted the week of May 5, 2008. The period under review for the case reviews was from April 1, 2007, through May 9, 2008. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the New York State Office of Children and Family Services (OCFS)
- The State Data Profile, prepared by CB, which provides State child welfare data for fiscal year (FY) 2005, FY 2006, and the CFSR 12-month target period ending March 31, 2007
- Reviews of 64 cases (40 foster care cases and 24 in-home services cases¹) at 3 sites throughout the State: 31 cases in New York City, 17 cases in Onondaga County, and 16 cases in Rockland County
- Interviews or focus groups (conducted at all three sites and at the State level) with stakeholders including, but not limited to, children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, Tribal representatives, service providers, court personnel, child advocates, and attorneys

All 64 cases reviewed were open child welfare agency cases at some time during the period under review. The key characteristics of these 64 cases are presented in the table at the end of this section. The percentages presented in this table and in subsequent tables in the report may not total to 100 percent due to rounding.

The first section of the report (Section A: Outcomes) presents the CFSR findings relevant to New York's performance in achieving specified outcomes for children in the areas of safety, permanency, and well-being. For each outcome, there is a table presenting the data for the case review findings and national indicators (when relevant). The table is followed by a discussion of New York's status with regard to substantial conformity with the outcome at the time of the State's first CFSR review, which was held in FY 2001, the State's status relevant to the current review, and a presentation and discussion of each item (indicator) assessed under the outcome. Differences in findings across the sites included in the Onsite Review are described when noteworthy. Variations in outcome and item

¹ The CFSR usually includes 40 foster care cases and 25 in-home services cases. However, during the onsite review, it was discovered that one of the in-home services cases involved a child who was actually in foster care. This case was dropped from the sample.

ratings as a function of type of case (i.e., foster care or in-home services) also are identified when appropriate. The second section of the report (Section B: Systemic Factors) provides an assessment and discussion of the systemic factors relevant to the child welfare agency's ability to achieve positive outcomes for children.

To better understand some of the information presented in the outcomes and systemic factors sections of this report, it is useful to know that the New York State child welfare system is State supervised and locally administered through 58 local social service districts, including the St. Regis Mohawk Tribe and the New York City Administration for Children's Services (ACS). The Division of Child Welfare and Community Services is the statewide oversight entity for the locally administered child welfare systems, which are referred to as "local districts." In many of the local districts, services to support children's safety, permanency, and well-being often are provided by private agencies through a contract with the local agency. These private agencies are referred to in the report as "voluntary agencies."

Key Characteristics of Cases Reviewed

Case Characteristics	Foster Care	In-Home Services
Total Cases	40	24*
When case was opened		
Case was opened prior to the period under review	35 (87.5%)	17 (71%)
Case was opened during the period under review	5 (12.5%)	7 (29%)
Child entered foster care during the period under review	12 (30%)	
Child's age at start of period under review		
Younger than age 10	16 (40%)	**
At least 10 but younger than 13	5 (12.5%)	**
At least 13 but younger than 16	12 (30%)	**
16 and older	7 (17.5%)	**
Race/Ethnicity		
Native American (Non-Hispanic)	1 (2.5%)	**
African-American (Non-Hispanic)	19 (47.5%)	**
White (Non-Hispanic)	13 (32.5%)	**
Hispanic (of all races)	7 (17.5%)	**
Two or more (Non-Hispanic)	0	**
Primary reason for opening case		
Neglect (not including medical neglect)	17 (42.5%)	6 (25%)
Physical abuse	4 (10%)	1 (4%)
Sexual abuse	4 (10%)	3 (12.5%)
Medical neglect	0	1 (4%)
Mental/physical health of parent	3 (7.5%)	2 (8%)
Substance abuse by parent	4 (10%)	2 (8%)
Child's behavior	3 (7.5%)	1 (4%)
Domestic violence in child's home	0	5 (21%)
Child in juvenile justice system	3 (7.5%)	0
Abandonment	1 (2.5%)	0
Emotional maltreatment	1 (2.5%)	0
Other: preventive services	0	3 (12.5%)

* During the Onsite Review, one in-home case was discovered to involve a child in foster care; that case was dropped from the sample.

** Information on these characteristics for in-home services cases is not provided because all children in the family are considered in these cases.

SECTION A: OUTCOMES

In Outcomes Section A of the CSFR Final Report, an overall rating of Strength or Area Needing Improvement (ANI) is assigned to each of the 23 items reviewed. An item is assigned an overall rating of Strength if 90 percent of the applicable cases reviewed are rated as a Strength. The item ratings are used to determine the performance of a State on the seven outcomes, each of which incorporates one or more of the individual items. The evaluation options for these outcomes are Substantially Achieved, Partially Achieved, and Not Achieved. For a State to be in substantial conformity with a particular outcome, 95 percent of the cases reviewed must be rated as having substantially achieved the outcome. Two outcomes—Safety Outcome 1 and Permanency Outcome 1—also are evaluated based on State performance with regard to six national data indicators. For a State to be in substantial conformity with these outcomes, the national standards for each data indicator must be met as well as the case review requirements. A State that is not in substantial conformity with a particular outcome must develop and implement a Program Improvement Plan (PIP) to address the areas of concern identified for that outcome.

CB has established high standards of performance for the CFSR. The standards are based on the belief that because child welfare agencies work with our Nation's most vulnerable children and families, only the highest standards of performance should be considered acceptable. The standards are set high to ensure ongoing attention to achieving positive outcomes for children and families with regard to safety, permanency, and well-being. This is consistent with the goal of the CFSR to promote continuous improvement in performance on these outcomes.

It should be noted, however, that States are not required to attain either the 95-percent standard established for the CFSR Onsite Review or the national standards for the six data indicators by the end of their PIP implementation period. CB recognizes that the kinds of systemic and practice changes necessary to bring about improvement in particular outcome areas often take time to implement. Also, improvements are likely to be incremental rather than dramatic. Instead, States work with CB to establish a specified amount of improvement or to determine specified activities for their PIP. That is, for each outcome that is not in substantial conformity or item that is an ANI, each State (working in conjunction with CB) specifies the following: (1) how much improvement the State will demonstrate and/or the activities that it will implement to address the ANIs and (2) the procedures for demonstrating the achievement of these goals. Both the improvements specified and the procedures for demonstrating improvement vary across States. Therefore, a State can meet the requirements of its PIP and still not perform at the 95-percent (for outcomes) or the 90-percent (for items) levels established for the current CFSR.

The second round of the CFSR assesses a State's level of performance by once more applying the high standards and a consistent, comprehensive, case review methodology. The results of this effort are intended to serve as the basis for continued PIPs addressing

areas in which a State still needs to improve, even though prior PIP goals may have been achieved. The purpose is to ensure that program improvement is an ongoing process and does not end with the completion of a PIP.

In the following sections, information is provided pertaining to how the State performed on each outcome and systemic factor in the first round of the CFSR. If the outcome or systemic factor was not substantially achieved during the first round, the key concerns observed at that time are identified as well as the strategies implemented in the PIP to address those concerns.

Because many changes were made in the CFSR process based on lessons learned during the first round and in response to feedback from the child welfare field, a State's performance in the second round of the CFSR is not directly comparable to its performance in the first round, particularly with regard to comparisons of data indicators or percentages regarding Strength and ANI ratings. Key changes in the CFSR process that make it difficult to compare performance across reviews include, but are not limited to, the following:

- An increase in the sample size from 50 to 65 cases
- Stratification of the sample to ensure a minimum number of cases in key program areas, resulting in variations in the number of cases relevant for specific outcomes and items
- Changes in criteria for specific items to enhance consistency and ensure an assessment of critical areas such as child welfare agency efforts to involve noncustodial parents in planning for their children

I. SAFETY

Safety Outcome 1

Outcome S1: Children are, first and foremost, protected from abuse and neglect					
Number of cases reviewed by the team according to degree of outcome achievement					
	New York City	Onondaga County	Rockland County	Total	Percent
Substantially Achieved	11	10	5	26	89.7
Partially Achieved	2	0	1	3	10.3
Total Applicable Cases	13	10	6	29	
Not Applicable Cases	18	7	10	35	
Total Cases	31	17	16	64	
Conformity of Statewide data indicators with national standards					
		National Standard (%)	State's Percentage	Meets Standard?	
Absence of maltreatment recurrence		94.6 +	88.7	No	
Absence of maltreatment of children in foster care by foster parents or facility staff		99.68 +	99.66	No	

Status of Safety Outcome 1

New York is not in substantial conformity with Safety Outcome 1. The outcome was substantially achieved in 89.7 percent of the applicable cases, which is less than the 95 percent or higher required for a rating of substantial conformity. The outcome was determined to be substantially achieved in 85 percent of New York City cases, 100 percent of Onondaga County cases, and 83 percent of Rockland County cases. In addition, as shown in the table, New York does not meet the national standards for the two data indicators relevant to Safety Outcome 1. New York also did not achieve substantial conformity with Safety Outcome 1 during its first CFSR conducted in FY 2001 and was required to address this outcome in its PIP.

Key Concerns From the 2001 CFSR

The following key concerns were identified for this outcome in the 2001 CFSR:

- New York did not meet the national standard for maltreatment recurrence.
- New York did not meet the national standard for maltreatment of children in foster care by foster parents or facility staff.

To address the identified concerns, New York implemented the following key strategies in its PIP:

- Modified the statewide information system (CONNECTIONS) to allow staff to reclassify a “subsequent” report as a “duplicate” report, when appropriate
- Developed and implemented a structured decision-making model, called the Risk Assessment Profile (RAP), and provided training and support for supervisors in implementing the model
- Developed and distributed a model foster parent manual to local districts and voluntary agencies that provides clarity regarding the roles, responsibilities, and expectations for foster parents
- Developed, tested, and distributed a foster parent training and support needs assessment instrument and provided training and technical assistance on the instrument
- Developed and delivered training to strengthen the crisis intervention and de-escalation techniques used in congregate care settings
- Developed and trained on appropriate and safe restraint techniques
- Designed and implemented Institutional Abuse Prevention/Violence Prevention training and technical assistance targeted for executive directors and administrators of congregate care facilities
- Trained State Institutional Abuse investigation staff to strengthen investigative and prevention efforts

The State met its target goals for this outcome by the end of its PIP implementation period.

Key Findings of the 2008 CFSR

The findings pertaining to the specific items assessed under Safety Outcome 1 are presented below.

Item 1. Timeliness of initiating investigations of reports of child maltreatment

Strength **Area Needing Improvement**

Case Review Findings

The assessment of item 1 was applicable for 29 (45 percent) of the 64 cases. Cases were not applicable if there were no child maltreatment reports during the period under review. In assessing item 1, reviewers were to determine whether the response to a maltreatment report occurring during the period under review had been initiated in accordance with the policy requirements of the State child welfare agency.

New York policy states that all Child Protective Services (CPS) investigations must be initiated within 24 hours of the receipt of the report alleging child abuse/neglect. “Initiation” is defined as a contact sufficient to assess whether any child is in immediate danger of serious harm. State policy also requires that within 60 days, the caseworker must see all children named in the report and must assess the safety of all children as well as the risk of future abuse and maltreatment. The results of the assessment of item 1 are presented in the table below.

Item 1	New York City	Onondaga County	Rockland County	Total	Percent
Strength	13	10	6	29	100
Area Needing Improvement	0	0	0	0	0
Total Applicable Cases	13	10	6	29	
Not Applicable	18	7	10	35	
Total Cases	31	17	16	64	

Item 1 was rated as a Strength in all applicable cases because the investigation was initiated and a contact sufficient to assess risk of harm occurred within the timeframes established by State policy or law (i.e., 24 hours of receipt of report).

Rating Determination

Item 1 is assigned an overall rating of Strength. In 100 percent of applicable cases, reviewers determined that the agency had initiated an investigation of a maltreatment report in accordance with the timeframes required by State policy. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York State requires that an investigation of alleged child abuse and maltreatment be initiated within 24 hours of receipt of the report. The Statewide Assessment notes that the policy is clearly stated and adhered to as the minimum standard across the State, although some local districts opt to impose a more rigorous policy. The Statewide Assessment also notes that a report on local districts’ performance on achieving contact within 24 hours is available from the Data Warehouse and is used by local districts and the Regional Offices (ROs) to review and monitor timeliness.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that the agency responds to allegations of abuse and neglect in a timely manner. They noted that in most counties there are Memoranda of Understanding with local law enforcement agencies that enable a joint response when law enforcement staff is available and when reports are of a serious nature.

Item 2. Repeat maltreatment

Strength Area Needing Improvement

Case Review Findings

The assessment of item 2 was applicable for 19 (30 percent) of the 64 cases. Cases were not applicable for this item if there were no substantiated or indicated maltreatment reports during the period under review. For all applicable cases, reviewers were to determine if there had been a substantiated or indicated maltreatment report on the family during the period under review, and if so, whether another substantiated or indicated report involving similar circumstances had occurred within a 6-month period before or after that identified report. Information regarding the ratings is provided below.

Item 2	New York City	Onondaga County	Rockland County	Total	Percent
Strength	8	6	2	16	84
Area Needing Improvement	2	0	1	3	16
Total Applicable Cases	10	6	3	19	
Not Applicable	21	11	13	45	
Total Cases	31	17	16	64	

Item 2 was rated as a Strength in 80 percent of applicable New York City cases, 100 percent of applicable Onondaga County cases, and 67 percent of applicable Rockland County cases. The item was rated as a Strength when there was no indication of two or more substantiated or indicated maltreatment reports on the family within a 6-month period. Item 2 was rated as an ANI in three cases because there were at least two substantiated maltreatment reports within a 6-month period.

Rating Determination

Item 2 is assigned an overall rating of ANI. Reviewers determined that there was no recurrence of maltreatment within a 6-month period in 84 percent of the cases. This percentage is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an ANI in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, to improve safety assessment and reduce the recurrence of maltreatment, OCFS developed and implemented a structured decision-making model, the RAP, which was implemented in 2003 and studied in a 2005 Implementation Study. The study findings indicated that RAP was not being used consistently across the State. As a result, the State developed ongoing training, support, and technical assistance on the use of the RAP.

The Statewide Assessment also notes the following barriers to reducing maltreatment recurrence:

- Insufficient information gathered by the caseworker to assess risk of repeat maltreatment
- A focus by the caseworker on the allegation instead of on the broader risk factors
- Misapplication of the RAP

The Statewide Assessment provides the following data for predictors of repeat maltreatment:

- Approximately 61 percent of primary caregivers with inadequate housing experienced a subsequent indicated report within 22 months of the focal report, compared with only 27 percent of caregivers who had adequate housing.
- Approximately 53 percent of primary caregivers with serious mental health problems had a subsequent indicated report, compared with 26 percent of primary caregivers without a serious mental health problem.

As noted in the Statewide Assessment, legislation passed in New York in 2007 allows for piloting a differentiated protective services response to reports of child abuse and maltreatment without conducting or recording an investigation. It was suggested that this response format may impact the State's future data with regard to repeat maltreatment. OCFS is in the process of developing guidance for implementing the differentiated response approach.

Stakeholder Interview Information

Most of the comments on this item during the Onsite Review came from New York City stakeholders. They noted that in New York City, recurrence is tracked and monitored. New York City stakeholders also indicated that CPS is doing better now than it has in the past with regard to recurrence because the agency emphasizes conducting assessments of underlying conditions in a family, rather than just focusing on an allegation.

Safety Outcome 2

Safety Outcome S2: Children are safely maintained in their homes whenever possible and appropriate					
Number of cases reviewed by the team according to degree of outcome achievement					
	New York City	Onondaga County	Rockland County	Total	Percent
Substantially Achieved	20	14	11	45	70.3
Partially Achieved	4	2	2	8	12.5
Not Achieved or Addressed	7	1	3	11	17.2
Total Cases	31	17	16	64	

Status of Safety Outcome 2

New York is not in substantial conformity with Safety Outcome 2. The outcome was substantially achieved in 70.3 percent of the cases reviewed, which is less than the 95 percent or higher required for a rating of substantial conformity. The outcome was substantially achieved in 65 percent of New York City cases, 82 percent of Onondaga County cases, and 69 percent of Rockland County cases. New York was in substantial conformity with Safety Outcome 2 in its 2001 CFSR and was not required to address this outcome in its PIP.

Key Findings of the 2008 CFSR

In the 2008 CFSR, both items incorporated in Safety Outcome 2 were rated as an ANI. The 2008 CFSR identified the following concerns with regard to this outcome:

- In some cases, service needs were inadequately assessed for all family members.
- When service needs were identified, services were not provided on a consistent basis.
- Services that were provided were not always sufficient to ensure safety.
- Families were not consistently engaged in services and this often resulted in safety concerns for the children.

The findings pertaining to the specific items assessed under Safety Outcome 2 are presented below.

Item 3. Services to family to protect child(ren) in the home and prevent removal or reentry into foster care

Strength Area Needing Improvement

Case Review Findings

An assessment of item 3 was applicable in 38 (59 percent) of the 64 cases. Cases were excluded from this assessment if the children entered foster care prior to the period under review and there were no other children in the home, or if there was no substantiated or indicated maltreatment report or identified risk of harm to the children in the home during the period under review. For this item, reviewers assessed whether, in responding to a substantiated maltreatment report or risk of harm, the agency made diligent efforts to provide services to families to prevent placement of children in foster care while at the same time ensuring their safety. The results of this assessment are shown in the table below.

Item 3	New York City	Onondaga County	Rockland County	Total	Percent
Strength	14	9	6	29	76
Area Needing Improvement	5	2	2	9	24
Total Applicable Cases	19	11	8	38	
Not Applicable	12	6	8	26	
Total Cases	31	17	16	64	

The item was rated as a Strength in 74 percent of applicable New York City cases, 82 percent of applicable Onondaga County cases, and 75 percent of applicable Rockland County cases. Item 3 was rated as a Strength in 29 cases when reviewers determined the following:

- There was an appropriate assessment of service needs and provision of services to meet those needs and prevent removal (23 cases).
- Children were appropriately removed from the home to ensure the child’s safety (six cases).

Case review information indicates that a broad range of services was offered or provided to families. Resources provided directly by agency staff or by contracted providers included (but were not limited to) the following: prevention services, behavioral management, parenting skills training, counseling, funds for utilities, substance abuse assessment and treatment, domestic violence services, individual therapy, family therapy, life skills, family preservation services, medication management, in-home mental health services, developmental screenings, legal services, inpatient mental health services, housing services, Independent Living (IL) services, financial assistance, homemaker services, and early childhood development services.

Item 3 was rated as an ANI in nine cases when reviewers determined the following:

- No services were provided to support the child’s reunification and prevent reentry (two cases).
- No services were provided to ensure the safety of children remaining in the home (two cases).

- Following the initial safety assessment and identification of services needed to ensure safety, there was a lack of ongoing service provision to parents or children (four cases).
- Parents refused to participate in services, but the child remained in the home (one case).

Rating Determination

Item 3 is assigned an overall rating of ANI. In 76 percent of the cases, reviewers determined that the agency had made concerted efforts to provide services to the family to prevent children's entry into foster care or reentry after reunification. This percentage is less than the 90 percent or higher required for a rating of Strength. Item 3 was rated as Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York requires documentation in the Uniform Case Record of the services offered to prevent placement and, when placement occurs, documentation is required to explain why placement was the only appropriate option. The Statewide Assessment also notes that the decrease in the placement rate per 1,000 children in the time between the last CFSR and 2006 is a measure of the State's effectiveness in meeting the requirements for item 3. However, as indicated in the Statewide Assessment, during that same time period, there was a corresponding decrease in the number of reports of suspected child abuse/neglect.

Although placements decreased from 2001 to 2006, they began to increase again after 2006. The Statewide Assessment suggests that this increase may be due to a corresponding increase in child protective maltreatment reports following several high-profile child fatalities.

As reported in the Statewide Assessment, New York has maintained a commitment to supporting services to families in their homes by providing 65 percent of the costs for prevention services when a county can provide the 35-percent match. The Statewide Assessment notes that the percentage of families that received both preventive and CPS services increased from 24 percent in 2004 to 33 percent in 2006, thereby supporting increased services to keep children safe and prevent removal of children from their homes.

The Statewide Assessment also notes that New York has made concerted efforts to strengthen family engagement by employing a Family Engagement Specialist (FES) in each region. Also, the State piloted a program called the Teaming Model that is designed to support the caseworker's decision-making process and enhance the location and engagement of absent fathers and their family members. As indicated in the Statewide Assessment, New York City has instituted the 72-hour conference in all of its CPS offices. The purpose of the 72-hour conference is to establish a family-conferencing environment that will engage families who are at high risk for having a child removed. The focus of the conference is on planning for the child's safety by clearly identifying various options and consequences.

Stakeholder Interview Information

Some stakeholders commenting on this item during the onsite CFSR noted that the agency’s effectiveness varies in providing services to prevent placement. Key factors that stakeholders identified as contributing to the variation in performance in this area are the following:

- The skill level of the caseworker in appropriately assessing risk
- Differences across communities in the availability of services that can be accessed to prevent removing a child from the home, including adequate housing and other concrete services

Item 4. Risk of harm to child

Strength Area Needing Improvement

Case Review Findings

An assessment of item 4 was applicable for all 64 cases. For this item, reviewers determined whether, during the period under review, the agency made concerted efforts to assess and address the risk and safety concerns of children who were in their own homes or in foster care. The results of this assessment are shown in the table below.

Item 4	New York City	Onondaga County	Rockland County	Total	Percent
Strength	21	15	11	47	73
Area Needing Improvement	10	2	5	17	27
Total Cases	31	17	16	64	

Item 4 was rated as a Strength in 68 percent of New York City cases, 88 percent of Onondaga County cases, and 69 percent of Rockland County cases. The item was rated as a Strength when reviewers determined that the risk of harm to children was appropriately addressed by the agency through (1) conducting initial and ongoing assessments of risk and safety in the children’s home or foster home, and (2) addressing all safety-related concerns identified through the assessment.

Item 4 was rated as an ANI in 17 cases when reviewers determined the following:

- Ongoing safety assessments were inadequate to address safety issues (five cases).
- Provision of services to address safety concerns was inadequate (one case).
- No safety assessment was conducted on the father (three cases) or the mother (one case), despite their involvement with the child.
- No risk assessment was conducted prior to placement or at case closure (three cases).

- No risk or safety assessment was completed on the children in the home (three cases).
- No risk assessment was conducted prior to a respite care placement, and there were safety concerns for the child during that respite placement (one case).

Rating Determination

Item 4 is assigned an overall rating of ANI. Reviewers determined that the agency had appropriately addressed the risk of harm to the children in 73 percent of the cases. This percentage is less than the 90 percent or higher required for an overall rating of Strength. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York requires the use of a structured safety decision-making model and the RAP to support and guide caseworkers in assessing and managing safety and risk for families reported to CPS. Safety assessments must occur and be documented at mandated times during a case including the investigation, the 6-month planning review, and at case closing. Training focuses on safety assessment as an ongoing process that occurs at every contact with a family, although it is to be formally documented at specified intervals.

As indicated in the Statewide Assessment, efforts to enhance capacity to address risk of harm include but are not limited to the following:

- Each region has a FES who provides technical assistance to agency staff to enhance staff capacity to engage families in risk assessment and safety plans.
- With recent changes made to CONNECTIONS, caseworkers now have access to a child's entire CPS history that they can review in conducting initial risk and safety assessments.
- The Automated Restraint Tracking System and the Sanctuary Model bring a "trauma-informed" approach to residential care that is intended to reduce risk of harm to children in residential care facilities.

The following barriers to addressing risk of harm issues also were reported in the Statewide Assessment:

- Caseloads are high, which limits the amount of time to conduct a thorough risk assessment.
- When safety issues are identified, there may not be services available to address the safety issues.
- Caseworkers may not have sufficient training to gather the information needed to complete an appropriate risk assessment.
- Supervisors may not be able to provide the appropriate level of supervision when they are working with several new or inexperienced caseworkers at the same time.

Stakeholder Interview Information

Some stakeholders commenting on this item during the Onsite Review expressed the opinion that there is a need for statistical data on the extent of harm to children after completion of a safety assessment. They suggested that this type of data would provide the information necessary to determine whether the State is effective in addressing risk of harm issues. Various stakeholders also made the following comments:

- Sometimes risk and safety decisions are made by caseworkers based on an assessment of the current allegation rather than looking at the broader family situation.
- Agency staff would benefit from additional training to improve their risk assessment and decision-making skills.
- Judicial staff would benefit from training in addressing risk and safety in the family.

II. PERMANENCY

Permanency Outcome 1

Outcome P1: Children have permanency and stability in their living situations					
Number of cases reviewed by the team according to degree of outcome achievement					
	New York City	Onondaga County	Rockland County	Total	Percent
Substantially Achieved	6	4	6	16	40
Partially Achieved	14	6	4	24	60
Not Achieved	0	0	0	0	
Total Applicable Foster Care Cases	20	10	10	40	
Conformity of statewide data indicators with national standards					
	National Standard (Scaled Score)		State's Composite Score		Meets Standard?
Composite 1: Timeliness and permanency of reunification	122.6 +		96.3		No
Composite 2: Timeliness of adoptions	106.4 +		57.8		No
Composite 3: Permanency for children in foster care for extended time periods	121.7 +		110.8		No
Composite 4: Placement stability	101.5 +		108.1		Yes

Status of Permanency Outcome 1

New York is not in substantial conformity with Permanency Outcome 1. The outcome was substantially achieved in only 40 percent of the cases reviewed, which is less than the 95 percent or higher required for an overall rating of substantial conformity. The outcome was substantially achieved in 30 percent of New York City cases, 40 percent of Onondaga County cases, and 60 percent of Rockland County cases. In addition, as shown in the table above, New York does not meet the national standards for Permanency Composite 1, Timeliness and permanency of reunification; Permanency Composite 2, Timeliness of adoptions; and Permanency Composite 3, Permanency for children in foster care for extended time periods. However, New York does meet the national standard for Permanency Composite 4, Placement stability. New York did not achieve substantial conformity with Permanency Outcome 1 in its 2001 CFSR and was required to address the outcome in its PIP.

Key Concerns From the 2001 CFSR

In the 2001 CFSR, all items except item 5 (foster care reentry) were rated as ANIs. The following key concerns were identified in the 2001 CFSR:

- In some cases, the goal of other planned permanent living arrangement (OPPLA) was established when children were younger than age 16 and prior to full consideration of other permanency options.
- Some children with an appropriate OPPLA goal were not adequately prepared for independent living.
- Reunification was not achieved in a timely manner in many cases.
- The agency was not consistent with regard to filing for termination of parental rights (TPR) in a timely manner.
- Parents and caregivers were not engaged or included in permanency planning.
- There was insufficient collaboration among the public child welfare agency, voluntary agencies, and other service providers to ensure that the services necessary to achieve a permanency goal were provided.
- There was insufficient training for foster care parents and prospective adoptive parents related to the adoption process and post-adoption services.

To address these concerns, New York implemented the following strategies as part of its PIP:

- Reviewed the effectiveness of various group conferencing models to identify and implement the models for involving and engaging families that would be most effective in reducing the time to permanency for children in foster care
- Increased the field's understanding of the purpose, timing, and process of case planning and service plan reviews (SPR)
- Strengthened visitation practices to better support the frequency and quality of visitation needed for timely reunification

- Created a team composed of agency staff and court personnel to serve as a forum for identifying barriers to timely permanency and developing strategies to overcome barriers, such as cross-training for legal, judicial, and social services staff on expedited permanency
- Created tools to improve assessment of children’s physical and mental health needs and to improve delivery of permanency-focused training for foster parents to promote placement stability
- Created policy and practice guidelines regarding services to adolescents who are likely to transition from foster care to independent living

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

In the State’s 2008 CFSR, all items incorporated in this outcome except for items 5 and 10 were rated as ANIs. The key findings of the 2008 CFSR case reviews were the following:

- The agency generally is effective in preventing reentry into foster care.
- Agency practice is inconsistent with regard to ensuring that children experience placement stability and that placement changes are made only when they are necessary to meet the needs of the child.
- Agency practice is inconsistent with regard to establishing appropriate permanency goals in a timely manner.
- Agency practice is inconsistent with regard to making concerted efforts to achieve reunification or permanent placements with relatives in a timely manner.
- There are court-related and agency-related factors that result in delays in achieving adoptions in a timely manner.

The findings pertaining to the specific items assessed under Permanency Outcome 1 are presented below.

Item 5. Foster care reentries

Strength **Area Needing Improvement**

Case Review Findings

An assessment of item 5 was applicable for 12 (30 percent) of the 40 foster care cases. Cases were not applicable for assessment if the child did not enter foster care during the period under review. In assessing this item, reviewers determined whether the entry into foster care during the period under review occurred within 12 months of discharge from a prior foster care episode. The results of this assessment are presented in the table below.

Item 5	New York City	Onondaga County	Rockland County	Total	Percent
Strength	4	4	3	11	92
Area Needing Improvement	1	0	0	1	8
Total Applicable Foster Care Cases	5	4	3	12	
Not Applicable Foster Care Cases	15	6	7	28	
Total Foster Care Cases	20	10	10	40	

Item 5 was rated as a Strength in 80 percent of applicable New York City cases and 100 percent of applicable Onondaga and Rockland County cases. Item 5 was rated as a Strength in 10 cases in which the child’s entry into foster care during the period under review did not take place within 12 months of discharge from a prior episode. The item also was rated as a Strength in one case in which the child reentered foster care within 12 months of discharge from a prior foster care episode, but there was evidence that concerted efforts had been made to prevent reentry. Item 5 was rated as an ANI in one case in which an entry into foster care during the period under review occurred 2 months after the child was discharged to reunification. Reviewers determined that the reentry was the result of the agency conducting an inadequate risk and safety assessment on the father prior to the reunification.

Rating Determination

Item 5 is assigned an overall rating of Strength. The item was rated as a Strength in 92 percent of the cases reviewed, which exceeds the 90 percent required for a rating of Strength. This item also was rated as a Strength in the State’s 2001 CFSR.

Performance on Composite 1: Timeliness and permanency of reunification

The data below are presented to provide additional information about foster care reentry. There is no national standard for the measure of foster care reentry. National standards with regard to permanency have been established only for the scaled composite scores. The measure of foster care reentry is part of Composite 1: Timeliness and permanency of reunification. The State’s performance on Composite 1 is shown in the table for Permanency Outcome 1.

New York’s performance for the CFSR 12-month target period (for the data indicators) on the individual measure of foster care reentry (measure C1.4) included in Composite 1 (Timeliness and permanency of reunification) is as follows: 13.4 percent of the children exiting foster care to reunification in the 12-month period prior to the CFSR target period reentered foster care in less than 12 months from the time of discharge. This percentage is lower than the national median of 15 percent, but higher than the 25th percentile of 9.9 percent. For this measure, lower percentages are associated with higher performance.

Statewide Assessment Information

According to the Statewide Assessment, New York’s reentry rate is slightly higher for children who are discharged to the care of relatives than it is for children who are discharged to reunification with a parent. The Statewide Assessment also reports that reentry rates are lower in New York City than they are in other areas of the State for both types of discharge reasons.

The Statewide Assessment identifies the following concerns with regard to reentry:

- Aftercare support services for children who are discharged to the care of relatives are insufficient to ensure a successful discharge.
- There is a lack of concerted efforts to engage relatives in aftercare services.
- Aftercare services for youth discharged from residential care are insufficient and are not formally monitored.

The Statewide Assessment also identifies the following initiatives as effective in reducing reentry rates:

- Providing additional funding to agencies to spend on aftercare services for families that are considered at risk for repeat maltreatment
- Establishing a target reentry rate (which has been done in New York City) and then providing incentives to voluntary agencies to meet the target rates

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed different opinions. Some stakeholders said that reentries into foster care are rare, while others indicated that reentry is a fairly frequent occurrence. Some New York City stakeholders noted that New York City has a foster care prevention program that provides wraparound aftercare services to all families in which children have been reunified. These stakeholders indicated that wraparound services are provided until the child is 21 years old. However, some New York City stakeholders also noted that the courts may order preventive services, but the families may not be engaging in the services.

Item 6. Stability of foster care placement

Strength Area Needing Improvement

Case Review Findings

All 40 foster care cases were applicable for an assessment of item 6. In assessing this item, reviewers were to determine whether the child experienced multiple placement settings during the period under review and, if so, whether the changes in placement settings were necessary to achieve the child’s permanency goal or meet the child’s service needs. Reviewers also assessed the stability of the child’s current placement setting. The findings of this assessment are presented in the table below.

Item 6	New York City	Onondaga County	Rockland County	Total	Percent
Strength	17	10	8	35	87.5
Area Needing Improvement	3	0	2	5	12.5
Total Foster Care Cases	20	10	10	40	

Item 6 was rated as a Strength in 85 percent of New York City cases, 100 percent of Onondaga cases, and 80 percent of Rockland County cases. Item 6 was rated as a Strength when reviewers determined that the child did not experience a placement change, the child’s current placement was stable, or the placement changes experienced were in the child’s best interests and were intended either to achieve the child’s permanency goal or to meet the needs of the child.

Item 6 was rated as an ANI in five cases when reviewers determined the following:

- The child was in multiple placement settings during the period under review, and at least one placement change was not planned by the agency to further attain the child’s permanency goal (four cases). For example, placement changes occurred because foster parents could not meet the child’s needs or handle the child’s behaviors.
- The child’s placement setting at the time of the onsite CFSR was not stable because the child was on runaway status (one case).

Additional findings of the case review were the following:

- Children in 23 cases experienced only one placement during the period under review.
- Children in 13 cases experienced two placements during the period under review.
- Children in four cases experienced three or four placements during the period under review.

Rating Determination

Item 6 is assigned an overall rating of ANI. Reviewers determined that children experienced placement stability or that changes in placements were in the best interests of the child in 87.5 percent of the cases. This percentage is less than the 90 percent or higher required for a rating of Strength. Item 6 also was rated as an ANI in the State’s 2001 CFSR.

Performance on Composite 4: Placement stability

The data below are presented to provide additional information about placement stability. There are no national standards for the individual measures of placement stability. National standards have been established only for the scaled composite scores for Composite 4: Placement stability. The State’s performance on Composite 4 is shown in the table for Permanency Outcome 1.

New York's performance for the CFSR 12-month target period on the individual measures included in Composite 4: Placement stability is as follows:

- 90.4 percent of the children in foster care for at least 8 days but less than 12 months experienced two or fewer placement settings. This exceeds the 75th percentile for this measure of 86 percent.
- 72.4 percent of the children in foster care for at least 12 months but less than 24 months experienced two or fewer placement settings. This exceeds the 75th percentile for this measure of 65.4 percent.
- 43.2 percent of the children in foster care for at least 24 months experienced two or fewer placement settings. This exceeds the 75th percentile for this measure of 41.8 percent.

Statewide Assessment Information

According to the Statewide Assessment, New York's positive performance with regard to placement stability may be attributed in part to the following:

- Provision of a manual and of training designed specifically for foster parents and group home and congregate care staff addressing such issues as safe and effective responses to child behaviors, de-escalation of crises, and dealing with mental health issues
- Use of the Family Assessment and Services Plan (FASP), which requires an assessment of foster parent needs, an assessment of the stability of the placement, and an assessment of the child's needs
- Implementation of wraparound services, such as the Home- and Community-Based Medicaid Waiver and the Bridges to Health program, that allow foster parents to maintain placements in crisis situations
- Provision and availability of foster parent respite placements

The Statewide Assessment also reports that New York City has implemented several significant systemic and practice reforms to improve placement stability, including the following:

- A placement disruption conference is held for high-risk placements to identify and provide services needed to sustain the placement.
- A quarterly placement conference is held to address any placement issues before there is a crisis.
- A youth advocacy program includes wraparound services for older youth to help prevent placement changes.
- Contracted agencies have a "target goal" with regard to placement stability and receive monetary benefits when that goal is achieved.

The Statewide Assessment also notes that, despite these actions, placement changes are likely to occur when child-specific physical and mental health assessments are not adequate or not completed in a timely manner. The Statewide Assessment identified the following additional barriers to placement stability:

- State policy requires that children must be placed with siblings or reunited with siblings within 30 days unless placement together is determined to be detrimental to the best interests of the siblings. If no placement is available for sibling groups at admission into foster care, children may be moved in order to be reunited.
- When children’s needs change, a different placement setting may be required.
- Unforeseen circumstances in the lives of foster families (such as a death, illness, or employment transfer) may require a placement change.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed different opinions regarding the effectiveness of the agency in achieving placement stability for children in foster care. Several stakeholders suggested that most children in foster care experience placement stability and are in appropriate placements. Rockland County stakeholders, in particular, noted that because they are in a small county, agency staff responsible for matching children and foster parents tend to be familiar with each foster family’s strengths and therefore are able to make appropriate matches. Stakeholders from Rockland County also noted that there is an active foster parent support group there that provides foster families with support needed to prevent placement disruptions.

However, in contrast, several New York City and Onondaga County stakeholders raised concerns about placement stability and, in particular, about the lack of appropriate matching of children with placement resources. Some stakeholders also suggested that foster parents are not given sufficient information about the children placed in their care, which can lead to placement disruptions.

New York City stakeholders indicated that efforts are being made to prevent placement disruptions by holding meetings with foster parents when there are concerns and providing training to foster parents regarding how they can effectively manage adolescents who are acting out so that they can maintain them in the home.

Item 7. Permanency goal for child

Strength Area Needing Improvement

Case Review Findings

All 40 foster care cases were applicable for an assessment of item 7. In assessing this item, reviewers were to determine whether the agency had established a permanency goal for the child in a timely manner and whether the most current permanency goal was appropriate. Reviewers also were to determine if the agency met the requirements of the Adoption and Safe Families Act (ASFA) pertaining to the timeframe for filing for TPR. The results of this assessment are presented in the table below.

Item 7	New York City	Onondaga County	Rockland County	Total	Percent
Strength	13	5	7	25	62.5
Area Needing Improvement	7	5	3	15	37.5
Total Foster Care Cases	20	10	10	40	

Item 7 was rated as a Strength in 65 percent of New York City cases, 50 percent of Onondaga County cases, and 70 percent of Rockland County cases. The item was rated as a Strength when reviewers determined that the child’s permanency goal was appropriate and had been established in a timely manner (25 cases). The item was rated as an ANI when reviewers determined one or more of the following:

- The child’s permanency goal was not established in a timely manner (five cases).
- The child’s permanency goal was not appropriate to meet the needs of the child (four cases).
- The child’s permanency goal was not established in a timely manner and was not appropriate to meet the needs of the child (six cases).
- The agency did not file for TPR in accordance with ASFA timeframes, and no compelling reason was documented in the case file (eight cases).

The following case goals were identified for the 40 foster care cases:

- Twenty children had a goal of reunification with parents only.
- Fourteen children had a goal of adoption only.
- Two children had a goal of OPPLA only.
- One child had a goal of reunification with relatives only.
- Three children had concurrent goals of adoption and reunification with parents.

Case review findings also indicated the following with regard to ASFA requirements pertaining to TPR.

- In 23 of the foster care cases, the children were in foster care for 15 of the most recent 22 months at the time of the onsite CFSR. ASFA requirements with regard to seeking TPR were applicable for 21 of these cases. Two cases were not applicable for ASFA requirements because the child was in placement with a relative.
- ASFA TPR requirements (both petitioning for TPR and documenting compelling reasons when a petition is not filed) were met in 13 (62 percent) of the 21 cases applicable for ASFA requirements.

Rating Determination

Item 7 is assigned an overall rating of ANI. Reviewers determined that the agency had established an appropriate permanency goal for the child in a timely manner and had met ASFA requirements in 62.5 percent of the applicable cases. This percentage is less than the 90 percent or higher required for a rating of Strength. Item 7 also was rated as an ANI in the State's 2001 CFSR.

Performance on Composite 3: Permanency for children in foster care for extended time periods

The data below are presented to provide additional information about achieving permanency for children in foster care for extended time periods. There are no national standards for the individual measures included in Composite 3. National standards have been established only for the scaled composite score for Composite 3. New York's performance on Composite 3 is shown in the table for Permanency Outcome 1.

New York's performance for the CFSR target 12-month period on the individual measures included in Permanency Composite 3 (Permanency for children in foster care for extended time periods) is presented below:

- 23.3 percent of the children in foster care for 24 months or longer at the start of the 12-month CFSR target period were discharged from foster care to a permanent home (adoption, reunification with parents or other relatives, or guardianship) by the end of the target period. This percentage is less than the national median of 25 percent.
- 95.8 percent of the children exiting foster care during the 12-month target period who were legally free for adoption at the time of exit were discharged to a permanent home. This percentage is less than the national median of 96.8 percent.
- 52.6 percent of the children who were discharged from foster care during the 12-month target period with a discharge reason of emancipation had been in foster care for 3 years or longer at the time of discharge. This percentage is higher than the national median of 47.8 percent. For this measure, lower scores are associated with more positive performance.

Statewide Assessment Information

According to the Statewide Assessment, permanency goals are to be established within 30 days of a child's placement in foster care and are documented in the FASP and in court orders. However, the Statewide Assessment reports that the percentage of permanency goals established within 30 days of placement has declined since 2002 and was only 50.8 percent in 2006. The Statewide Assessment also reports that there are well-documented challenges to entering data into CONNECTIONS and that, as a result, there are data quality issues concerning the reporting of permanency goals.

As indicated in the Statewide Assessment, OCFS supports concurrent planning when a case assessment warrants an alternative plan to achieve permanency. OCFS has hired FESes to provide training and consultation to service delivery staff with respect to the implementation of concurrent planning. However, the Statewide Assessment also notes that a formal evaluation of the effectiveness of the FESes has not yet been completed.

The Statewide Assessment identifies the following issues as barriers to establishing appropriate permanency goals in a timely manner:

- Caseworker turnover
- Large caseloads carried by caseworkers
- Extensive paperwork and documentation requirements

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that initial permanency goals are established in a timely manner. However, many stakeholders also expressed the opinion that the initial goal of reunification may not always be changed to another goal in a timely manner when such a change would be appropriate.

Stakeholders expressed different opinions regarding use of concurrent planning. While some stakeholders said that agency staff establish a concurrent plan for every child in foster care, document the goals in the FASP, and review the FASP goals during the SPR, other stakeholders indicated that concurrent goals are not established on a consistent basis.

Stakeholders also noted that court personnel are involved in setting goals. The court may delay the approval of a goal, approve an inappropriate goal, or refuse to change a reunification goal despite the family’s inability to provide a safe, suitable home for their children within the timeframe established by ASFA.

Stakeholder comments regarding filing for TPR in accordance with ASFA requirements are provided under item 28 in Systemic Factors Section B of this report.

Item 8. Reunification, guardianship, or permanent placement with relatives

Strength Area Needing Improvement

Case Review Findings

Item 8 was applicable for 24 (60 percent) of the 40 foster care cases. In assessing this item, reviewers were to determine whether the agency had achieved the permanency goals of reunification, guardianship, or permanent placement with relatives in a timely manner or, if the goals had not been achieved, reviewers were to determine whether the agency had made, or was in the process of making, diligent efforts to achieve the goals. The results of this assessment are shown in the table below.

Item 8	New York City	Onondaga County	Rockland County	Total	Percent
Strength	6	5	4	15	62.5
Area Needing Improvement	7	0	2	9	37.5
Total Applicable Foster Care Cases	13	5	6	24	
Not Applicable Foster Care Cases	7	5	4	16	
Total Foster Care Cases	20	10	10	40	

Item 8 was rated as a Strength in 46 percent of applicable New York City cases, 100 percent of applicable Onondaga County cases, and 67 percent of applicable Rockland County cases. Item 8 was rated as a Strength when reviewers determined that the goal had been achieved in a timely manner or that the agency was making or had made concerted efforts to achieve the goal in a timely manner. Item 8 was rated as an ANI in nine cases when reviewers determined that the agency and/or the court did not make concerted efforts to achieve the goal in a timely manner.

Rating Determination

Item 8 is assigned an overall rating of ANI. Reviewers determined that the agency had made diligent efforts to attain the goals of reunification or permanent placement with relatives in a timely manner in 62.5 percent of the applicable cases. This percentage is less than the 90 percent or higher required for a rating of Strength. Item 8 also was rated as an ANI in the State’s 2001 CFSR.

Performance on Composite 1: Timeliness of reunification

The data below are presented to provide additional information about State performance with regard to the timeliness of reunification. There are no national standards for the individual measures included in Composite 1. National standards have been established only for the scaled composite score for Composite 1. New York’s performance on Composite 1 is shown in the table for Permanency Outcome 1.

New York’s performance for the 12-month CFSR target period on the three “timeliness” measures included in Permanency Composite 1 (Timeliness of reunification) is presented below.

- 55.3 percent of the reunifications occurred in at least 8 days but less than 12 months of the child’s entry into foster care. This percentage is less than the national median of 69.9 percent.
- The median length of stay in foster care for children discharged to reunification was 10.9 months, which exceeds the national median of 6.5 months. Note that for this measure a lower number of months is associated with a higher level of performance.

- 33.9 percent of children entering foster care in the 6 months prior to the 12-month target period were discharged from foster care to reunification less than 12 months after entry into foster care. This percentage is less than the national median of 39.4 percent.

Statewide Assessment Information

According to the Statewide Assessment, although New York has made progress in recent years in improving the timeliness of reunification, there is room for improvement. The Statewide Assessment identifies the following barriers to timely reunification:

- A lack of community-based services
- High levels of staff turnover
- High caseworker caseloads
- Court-related delays
- Reluctance on the part of caseworkers or judges to discontinue the goal of reunification when families are making progress, even when the case has exceeded the ASFA timeframes

The Statewide Assessment identifies the following strategies to improve the timeliness of reunification:

- The State increased the frequency of visitation between parents and children in foster care and moved visits to family-friendly settings.
- The State began using “advocates” or “partners” to assist birth parents in accomplishing their service plan goals.
- The State implemented policy and guidelines defining how to locate and engage absent fathers and their extended families.
- The State implemented Family Group Conferencing and Family Team Meetings to engage parents and other family members in achieving service plan goals.
- New York City implemented Family-to-Family conferencing, which occurs immediately after the child is placed in foster care. In this program, foster and birth parents work together to ensure that the biological parents are engaged in the child’s life during the child’s stay in foster care.
- The State established the Social Work Education Consortium and the Child Welfare Scholarship Program to professionalize and stabilize the workforce within each region.

Stakeholder Interview Information

Stakeholders interviewed during the onsite CFSR did not comment specifically on the agency’s effectiveness in achieving reunifications in a timely manner.

Item 9. Adoption

Strength Area Needing Improvement

Case Review Findings

Item 9 was applicable for 17 (42.5 percent) of the 40 foster care cases. In assessing this item, reviewers were to determine whether diligent efforts had been or were being made to achieve finalized adoptions in a timely manner. The results of this assessment are shown in the table below.

Item 9	New York City	Onondaga County	Rockland County	Total	Percent
Strength	0	1	2	3	18
Area Needing Improvement	8	4	2	14	82
Total Applicable Foster Care Cases	8	5	4	17	
Not Applicable Foster Care Cases	12	5	6	23	
Total Foster Care Cases	20	10	10	40	

Item 9 was rated as a Strength in none of the applicable New York City cases, in 20 percent of applicable Onondaga County cases, and in 50 percent of applicable Rockland County cases. The item was rated as a Strength in three cases when reviewers determined that the State had made diligent efforts to achieve finalized adoptions in a timely manner. Item 9 was rated as an ANI in 14 cases when reviewers determined the following:

- There were court-related delays caused by granting of continuances and delays in scheduling TPR hearings (three cases).
- There were agency related delays due to the agency not filing for TPR in a timely manner (five cases).
- There were delays in finalizing adoptions after TPR (three cases).
- There was a lack of diligent efforts to find an adoptive home for the child (two cases).
- There was a lack of diligent efforts by the agency and the courts to locate the father so that parental rights could be terminated (one case).

Additional findings relevant to this item were the following:

- Adoption was finalized during the period under review in three of the 17 cases that had adoption as a single or concurrent goal. In two of these cases, the child had been in foster care for 48 months at the time of finalization; in the third case, the adoption was finalized after the child had been in foster care for only 16 months.
- Of the 14 children with a goal of adoption who were still in foster care at the time of the onsite CFSR, 8 had been in foster care for more than 5 years, 4 had been in foster care for 2 to 5 years, and 2 had been in foster care for less than 2 years.

Rating Determination

Item 9 is assigned an overall rating of ANI. Reviewers determined that the agency had made concerted efforts to achieve finalized adoptions in a timely manner in only 18 percent of the applicable cases. This percentage is less than the 90 percent or higher required for a rating of Strength. Item 9 also was rated as an ANI in the State's 2001 CFSR.

Performance on Composite 2: Timeliness of adoptions

The data below are presented to provide additional information about State performance with regard to the timeliness of adoptions. There are no national standards for the individual measures included in Composite 2. National standards have been established only for the scaled composite score for Composite 2. The State's performance on Composite 2 is shown in the table for Permanency Outcome 1.

New York's performance during the CFSR 12-month target period (for the data indicators) on the individual measures included in Permanency Composite 2 (Timeliness of adoptions) is as follows:

- 10.4 percent of the children exiting to adoption were discharged to a finalized adoption less than 24 months from the time of entry into foster care. This percentage is less than the national median of 26.8 percent.
- The median length of stay in foster care for children adopted was 49.7 months. This median length of stay is higher than the national median of 32.4 months. (For this measure, a lower number of months is associated with a higher level of performance.)
- 15.8 percent of children in foster care for 17 months or longer on the first day of the CFSR 12-month target period were discharged to a finalized adoption by the last day of the target period. This percentage is less than the national median of 20.2 percent.
- 10.7 percent of children in foster care for 17 months or longer on the first day of the CFSR 12-month target period became legally free for adoption (that is, there was a TPR for both mother and father) within 6 months. This percentage is higher than the national median for this measure of 8.8 percent but less than the 75th percentile of 10.9 percent.
- 41.2 percent of children who were legally free for adoption were adopted within 12 months of becoming legally free. This percentage is less than the national median for this measure of 45.8 percent.

Statewide Assessment Information

According to the Statewide Assessment, delays in achieving adoptions in a timely manner may be attributed to both the courts and the agency. With regard to the courts, the Statewide Assessment notes that the Office of Court Administration (OCA), in collaboration with OCFS and through the TPR Barriers Group, is working to reduce barriers to timely TPRs by making recommendations for statutory, regulatory, best practices, and training changes.

The Statewide Assessment reports that ACS, OCFS, and OCA have created a twice yearly Adoption Panel Review of each child who is legally free for adoption and has a goal of adoption. The review is designed to identify each child's barriers to adoption and create strategies to overcome them. The Statewide Assessment also reports that the Adoption Now initiative has developed materials to support timely adoptions including handouts for adoptive families, a template for the adoption court report, a model Adoption Timeline, and a paper and video to promote best practices for moving children to a finalized adoption.

With regard to agency-related delays, the Statewide Assessment reports that there is a need for OCFS to standardize the concurrent planning practice model across the State and develop adoption competency among caseworkers, service providers, agencies, and legal professionals. It was noted in the Statewide Assessment that OCFS, in a partnership with Hunter College, created a post-graduate Adoption Competency Program that is available in New York City.

It also was indicated in the Statewide Assessment that recruitment and retention of placement resources continue to be factors in locating families for children who are legally free for adoption. One specific barrier to identifying an adoptive resource for children is the inadequacy of post-adoption services to support adoptive families after finalization.

The Statewide Assessment notes that New York has had success in placing more than 100 children in adoptive homes through an Adoption Opportunities Grant awarded to OCFS. This grant, called the Longest Waiting Children Initiative, has demonstrated success in finding permanent families for older and special needs children. The pilot involved youth in developing an individual adoption plan focused on systematic exploration of any adults who have been meaningful in the child's life as potential adoptive resources. Although the grant funding ended, many districts and agencies have strengthened their individualized adoption planning.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that, although New York has made efforts to improve outcomes for children with a permanency goal of adoption, the State generally is not effective in achieving adoptions in a timely manner. The following are some of the concerns identified by various stakeholders:

- TPR petitions are not consistently filed in accordance with State and ASFA timelines.
- Although appeals do not occur frequently, when they are filed, they add about a year to the time to achieve TPR.
- Courts are extending the timeframes for parents when they start to comply with case plan requirements even when the child has been in foster care for a long period of time.
- In New York City, court calendars often are full, which impedes timely scheduling of TPR hearings.
- Agencies have not been consistent with regard to ensuring that all necessary family research is completed at the onset of a case so that there are no delays in the process when it is time to file for TPR.

- Courts and agencies have not been consistent with regard to finalizing adoptions after TPR has been granted.
- Older children do not want to be adopted and resist agency efforts to find adoptive placements.

Item 10. Other planned permanent living arrangement (OPPLA)

 X Strength Area Needing Improvement

Case Review Findings

Item 10 was applicable for 2 (5 percent) of the 40 foster care cases. In assessing these cases, reviewers were to determine if the agency had made or was making diligent efforts to assist children in attaining their OPPLA goals. The results of this assessment are presented in the table below.

Item 10	New York City	Onondaga County	Rockland County	Total	Percent
Strength	1	1	0	2	100
Area Needing Improvement	0	0	0	0	0
Total Applicable Foster Care Cases	1	1	0	0	
Not Applicable Foster Care Cases	19	9	10	38	
Total Foster Care Cases	20	10	10	40	

Item 10 was rated as a Strength when reviewers determined that the agency had made concerted efforts to ensure long-term placement for the child and provide services necessary for preparing the child for independent living.

Rating Determination

Item 10 is assigned an overall rating of Strength. In 100 percent of the two applicable cases, reviewers determined that the goal of OPPLA had been addressed in an appropriate way. This item was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York has IL and transitional IL services throughout the State that support children who will possibly transition from foster care to independent living without having found a permanent home. The Statewide Assessment reports that through these programs and supports, older youth are provided with instruction and financial assistance that will provide initial support in setting up households or pursuing a college education. The Statewide Assessment also reports that youth are assisted in connecting to an adult resource and developing a set of competencies and basic life skills.

As indicated in the Statewide Assessment, New York uses a trial discharge for every child who transitions from foster care to independent living and custody of the youth is retained for at least 6 months to ensure ongoing caseworker contacts. The Statewide Assessment also indicates that permanency hearings continue until age 21 for youth who elect to remain in foster care after age 18.

Stakeholder Interview Information

Many stakeholders commenting on this item during the onsite CFSR praised the State’s IL program, indicating that there is a continuum of services for adolescents from age 14 to young adulthood. The continuum includes the Chafee education program, which provides services and funding for education through age 21 and transitional living resources available to youth who are 17 and older. Stakeholders also noted however, that flexible scheduling for IL classes is needed, especially because a stipend is tied to attendance.

New York City stakeholders also praised the “teen days” that are held in the courthouses. On these days, during the mornings, the adolescents in foster care are given information about the resources available to them. They then attend their court hearings in the afternoon.

Permanency Outcome 2

Outcome P2: The continuity of family relationships and connections is preserved for children					
Number of cases reviewed by the team according to degree of outcome achievement					
	New York City	Onondaga County	Rockland County	Total	Percent
Substantially Achieved	8	4	5	17	42.5
Partially Achieved	12	4	5	21	52.5
Not Achieved	0	2	0	2	5.0
Total Applicable Foster Care Cases	20	10	10	40	

Status of Permanency Outcome 2

New York is not in substantial conformity with Permanency Outcome 2. The outcome was substantially achieved in only 42.5 percent of the cases, which is less than the 95 percent or higher required for substantial conformity. The item was substantially achieved in 40 percent of New York City cases, 40 percent of Onondaga County cases, and 50 percent of Rockland County cases. New York also was not in substantial conformity with Permanency Outcome 2 in its 2001 CFSR and was required to address the outcome in its PIP.

Key Concerns From the 2001 CFSR

In the 2001 CFSR, all items incorporated in this outcome were rated as Strengths except for items 13 and 16. The key concerns identified during the 2001 CFSR were the following:

- The agency was not consistent in supporting visitation between children and their parents. The primary concerns were related to the quality of the visits, the consistency of the visitation plan with the permanency goal, and the level of parental engagement with the visitation plan (item 13).
- The agency was not consistent in making diligent efforts to support or maintain the bond between children and their mothers and fathers through efforts other than arranging visitation. The following areas were noted as problematic: assisting youth in re-establishing relationships with their parents, using family-centered strategies to aid in the engagement of difficult parents, and keeping parents informed about their children's medical and educational status (item 16).

To address these concerns, New York implemented the following strategies in its PIP:

- Researched and implemented a visitation model that includes strategies to encourage engagement of fathers
- Developed a self-assessment tool to assist local districts identify strengths and ANIs in their visitation practices
- Modified the CONNECTIONS system to support a strengthened visitation component in the case plan

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

In the 2008 CFSR, item 11 was rated as a Strength but all other items assessed for this outcome were rated as ANIs. The 2008 case reviews identified inconsistencies in agency practice with regard to the following:

- Placing siblings together when appropriate
- Ensuring that the frequency and/or quality of visits between children and their fathers, mothers, and siblings is sufficient to meet the needs of the child
- Maintaining the child's connections with extended family, culture, religion, community, and school
- Locating and assessing maternal and paternal relatives as potential placement resources for children in foster care
- Supporting or maintaining the bonds between children in foster care and their mothers and fathers

The findings pertaining to the specific items assessed under Permanency Outcome 2 are presented and discussed below.

Item 11. Proximity of foster care placement

 X Strength Area Needing Improvement

Case Review Findings

Item 11 was applicable for 32 (80 percent) of the 40 foster care cases. Cases were not applicable if (1) parental rights had been terminated prior to the period under review and parents were no longer involved with the child, (2) a relationship with the parents was considered to be not in the child’s best interests throughout the period under review, or (3) parents were deceased or whereabouts were unknown. In assessing this item, reviewers were to determine whether the child’s most current foster care setting was in close proximity to the child’s parents or close relatives. The results of this assessment are provided in the table below.

Item 11	New York City	Onondaga County	Rockland County	Total	Percent
Strength	15	7	8	30	94
Area Needing Improvement	2	0	0	2	6
Total Applicable Foster Care Cases	17	7	8	32	
Not Applicable Foster Care Cases	3	3	2	8	
Total Foster Care Cases	20	10	10	40	

Item 11 was rated as a Strength in 88 percent of applicable New York City cases and 100 percent of applicable Onondaga and Rockland County cases. The item was rated as a Strength when reviewers determined that the child was placed in the same community or county as the parents or that the child’s placement was not in the same community or county but was in close proximity to the parents. The item also was rated as a Strength if the child was placed out of his or her community or county, but the placement was determined to be necessary to meet the needs of the child and/or support attainment of the child’s permanency goal. Item 11 was rated as an ANI in two cases when reviewers determined that the child’s placement was not in sufficient proximity to his parents or siblings, and the distance was not necessary to meet the special needs of the child.

Rating Determination

Item 11 is assigned an overall rating of Strength. In 94 percent of the cases, reviewers determined that the agency had made diligent efforts to ensure that children were placed in foster care placements that were in close proximity to their parents or relatives or that were necessary to meet special needs. This percentage exceeds the 90 percent required for a rating of Strength. Item 11 also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, system data for 2007 indicate that 97 percent of foster care placements statewide were maintained within New York State and 75 percent of the children in foster care were placed within their own county, which is an increase from 68.5 percent in December 2005. The Statewide Assessment also notes that in December 2005, 71.2 percent of the local social service jurisdictions had an average foster care placement distance of less than 50 miles, while in October 2007, 89.8 percent of the local service jurisdictions had an average foster care placement of less than 50 miles. As indicated in the Statewide Assessment, the average distance from the child's home community to placement has decreased from 36 miles in December 2005 to 27 miles in October 2007. The Statewide Assessment notes that these findings indicate progress in the placement of children closer to their families and communities.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that, in general, children in foster care are placed in the same county and in close proximity to their parents or relatives. Stakeholders suggested that when children are placed some distance from their families, it usually is due to the child's need for specialized treatment or the need to keep sibling groups together.

Item 12. Placement with siblings

Strength Area Needing Improvement

Case Review Findings

Item 12 was applicable for 22 (55 percent) of the 40 foster care cases. Cases were not applicable if the child did not have a sibling in foster care at any time during the period under review. In assessing item 12, reviewers were to determine whether siblings were or had been placed together and, if not, whether the separation was necessary to meet the service or safety needs of one or more of the children. The results of this assessment are presented in the table below.

Item 12	New York City	Onondaga County	Rockland County	Total	Percent
Strength	11	6	0	17	77
Area Needing Improvement	0	1	4	5	23
Total Applicable Foster Care Cases	11	7	4	22	
Not Applicable Foster Care Cases	9	3	6	18	
Total Foster Care Cases	20	10	10	40	

Item 12 was rated as a Strength in 100 percent of applicable New York City cases, 86 percent of applicable Onondaga County cases, and none of the applicable Rockland County cases. Item 12 was rated as a Strength when reviewers determined that the child was placed with siblings or that there was a valid reason for the child's separation from siblings. Item 12 was rated as an ANI in four cases when reviewers determined that the child was separated from siblings, and there was not a valid reason for the separation. Item 12 also was rated as an ANI in one case when reviewers determined that although the siblings were separated at the request of the older child, the agency did not explore why the older child desired the separation.

Rating Determination

Item 12 is assigned an overall rating of ANI. Reviewers determined that the agency placed siblings together in foster care (when appropriate) in 77 percent of the applicable cases. This percentage is less than the 90 percent or higher required for a rating of Strength. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

The Statewide Assessment reports the following data with regard to sibling placements:

- As of January 31, 2007, 51 percent of siblings were placed together in foster care.
- In 2006, 66.7 percent of sibling groups of two were placed together, 53.4 percent of sibling groups of three were placed together, and 27.7 percent of sibling groups of four or more were placed together.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that New York's child welfare agencies make concerted efforts to keep sibling groups together when they are placed in foster care or to reunite them if they are separated. However, stakeholders also noted that there is a lack of placement resources that can or will accept large sibling groups. They indicated that the scarcity of placement resources is a particular concern when the agency also is trying to ensure that the children's placements are in their community of origin.

Item 13. Visiting with parents and siblings in foster care

Strength Area Needing Improvement

Case Review Findings

Item 13 was applicable for 36 (90 percent) of the 40 foster care cases. Cases were not applicable for an assessment of this item if the child had no siblings in foster care and if one of the following conditions was met with regard to the parents: (1) TPR was established prior to the period under review, and parents were no longer involved in the child's life (or parents were deceased), or (2) visitation

with a parent was considered to not be in the best interests of the child. In assessing this item, reviewers were to determine (1) whether the agency had made or was making diligent efforts to facilitate visitation between children in foster care and their parents and siblings in foster care, (2) whether these visits occurred with sufficient frequency to meet the needs of children and families, and/or (3) whether concerted efforts were made to ensure that the quality of parent-child visitation was sufficient to maintain the continuity of the relationship. The findings of this assessment are presented in the table below.

Item 13	New York City	Onondaga County	Rockland County	Total	Percent
Strength	9	4	4	17	47
Area Needing Improvement	9	5	5	19	53
Total Applicable Foster Care Cases	18	9	9	36	
Not Applicable Foster Care Cases	2	1	1	4	
Total Foster Care Cases	20	10	10	40	

Item 13 was rated as a Strength in 50 percent of applicable New York City cases and 44 percent of applicable Onondaga County and Rockland County cases. Item 13 was rated as a Strength when reviewers determined that (1) the frequency and quality of visitation with parents and siblings met the needs of the children, or (2) the agency made concerted efforts to promote frequent visitation even when the current visitation frequency did not meet the child’s needs. Item 13 was rated as an ANI in 19 cases when reviewers determined one or more of the following:

- The agency did not make concerted efforts to promote visitation with the father (13 cases).
- The agency did not make concerted efforts to promote visitation between or among siblings (five cases).
- The agency did not make concerted efforts to promote visitation with the mother (one case).
- The agency did not make concerted efforts to ensure the quality of parent-child visitation with the mother (one case).

Specific information about visitation frequency is provided in the table below. The data in the table indicate that children’s visitation with their mothers occurs more frequently than visitation with siblings, and that visitation with both siblings and their mothers occurs more frequently than visitation with their fathers. As shown in the table, for the applicable cases, children were more likely to have at least monthly visits with their mothers (87 percent of the cases), than they were with their siblings in foster care (64 percent of the cases) or with their fathers (32 percent of the cases).

Visitation frequency (during the period under review)	Mother and Child	Father and Child	Siblings in Foster Care
At least once a week	15 (48%)	3 (14%)	5 (36%)
Less than once a week but at least twice a month	7 (23%)	1 (5%)	3 (21%)
Less than twice a month but at least once a month	5 (16%)	3 (14%)	1 (7%)
Less than once a month	4 (13%)	4 (18%)	4 (29%)
Never	0	11 (50%)	1 (7%)
Total Applicable Cases	31	22	14

Rating Determination

Item 12 is assigned an overall rating of ANI. Reviewers determined that the agency had made concerted efforts to ensure that visitation frequency and quality were sufficient to meet the needs of the child and family in only 47 percent of applicable cases. This percentage is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an ANI in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, when the goal is reunification, State regulations require biweekly visits between the child and the parents or discharge resource (the person to whom the child will be discharged). Exceptions to this policy are allowed for the following reasons: There is a court order prohibiting parent-child visitation; the child resides in a facility specializing in mental retardation or mental health; or the distance between the placement and the parents' location makes biweekly visitation impossible. Barriers to frequent visitation noted in the Statewide Assessment included insufficient transportation and the over-utilization by the agency of supervised visits. The Statewide Assessment also notes that visits often lack the opportunity for quality interaction because they are not held in family-friendly settings.

The Statewide Assessment reports that data for 2007 from the Safety and Permanency Assessment (SPA) instrument indicate that biweekly visitation between the child and discharge resource occurred in 48 percent of the 122 applicable cases, and that the agency was providing all necessary assistance to facilitate biweekly visitation in 92 percent of the cases.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed different opinions regarding the effectiveness of the agency in ensuring sufficient visitation between children in foster care and their parents and siblings. Most Rockland County stakeholders indicated that the agency meets the requirements for visitation between children and their parents and also makes concerted efforts to ensure that children can visit with parents who are in treatment programs or who are incarcerated.

In comparison, Onondaga County stakeholders indicated that although the county makes concerted efforts to ensure frequent visitation, the distance between the child’s placement and the parents creates challenges to sufficient visitation. In addition, some State-level stakeholders suggested that visitation between parents and children does not take place as frequently as it should and attributed the insufficient frequency to a lack of staff to supervise the visitation sessions.

New York City stakeholders suggested that the agency has been improving in the area of visitation between children and parents, particularly for younger children. Stakeholders in New York City also suggested that because caseworkers are present for these visits to observe the family dynamic, the visits result in a significant demand on their time.

Item 14. Preserving connections

Strength Area Needing Improvement

Case Review Findings

Item 14 was applicable for 38 (95 percent) of the 40 foster care cases. One case was not applicable because parental rights were terminated prior to the period under review, and it was not in the best interests of the child to preserve other connections. Another case was not applicable because the child entered foster care at birth. In assessing item 14, reviewers were to determine whether the agency had made or was making diligent efforts to preserve the child’s connections to neighborhood, community, heritage, extended family, faith, and friends while the child was in foster care. This item is not rated on the basis of visits or contacts with parents or siblings in foster care. The results of the assessment are provided in the table below.

Item 14	New York City	Onondaga County	Rockland County	Total	Percent
Strength	12	6	9	27	71
Area Needing Improvement	7	4	0	11	29
Total Applicable Foster Care Cases	19	10	9	38	
Not Applicable Foster Care Cases	1	0	1	2	
Total Foster Care Cases	20	10	10	40	

Item 14 was rated as a Strength in 63 percent of applicable New York City cases, 60 percent of Onondaga County cases, and 100 percent of applicable Rockland County cases. Item 14 was rated as a Strength in 27 cases when reviewers determined that the agency

made concerted efforts to preserve the child's connections with extended family members, religious or cultural heritage, schools, neighborhoods, and friends. The item was rated as an ANI in 11 cases when reviewers determined the following:

- The agency did not make concerted efforts to maintain the child's connections to extended family (seven cases).
- The agency did not make concerted efforts to maintain the child's connections to his or her cultural heritage (one case).
- The agency did not make concerted efforts to maintain any of the child's connections (three cases).

Rating Determination

Item 14 is assigned an overall rating of ANI. Reviewers determined that the agency had made concerted efforts to maintain the child's connections with extended family, culture, religion, community, and school in 71 percent of the cases. This percentage is less than the 90 percent or higher required for a rating of Strength. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, a web-based foster youth survey was conducted to assess youths' opinions about agency efforts to maintain their connections. The survey resulted in the following findings: 60 percent of respondents indicated that they "agreed" with a statement that they are satisfied with their agency's effort to help them stay connected with their friends; 73 percent of respondents "agreed" with a statement that they are satisfied with their agency's efforts to help them stay connected with their extended relatives; and 78 percent "agreed" with a statement that they were able to practice their chosen faith as they wished.

The Statewide Assessment also notes that a Native American child who is placed into foster care must be placed in accordance with State and Federal regulations that reinforce family and Tribal connections.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed the opinion that practice is inconsistent with regard to agency efforts to preserve the child's connections to extended family, community, religion, and cultural heritage while the child is in foster care. They noted that although this is a priority for many caseworkers, other caseworkers do not make diligent efforts to preserve connections.

Stakeholders also noted, however, that Tribal representatives believe that the agency makes concerted efforts to maintain children's important connections while they are in foster care.

Item 15. Relative placement

 Strength X Area Needing Improvement

Case Review Findings

Item 15 was applicable for 33 (82.5 percent) of the 40 foster care cases. Cases were not applicable if relative placement was not an option during the period under review because (1) the child was in an adoptive placement at the start of the time period or (2) the child entered foster care needing specialized services that could not be provided in a relative placement. In assessing this item, reviewers were to determine whether the agency had made diligent efforts to locate and assess relatives (both maternal and paternal relatives) as potential placement resources for children in foster care. The results of this assessment are presented in the table below.

Item 15	New York City	Onondaga County	Rockland County	Total	Percent
Strength	7	4	4	15	45
Area Needing Improvement	10	5	3	18	55
Total Applicable Foster Care Cases	17	9	7	33	
Not Applicable Foster Care Cases	3	1	3	7	
Total Foster Care Cases	20	10	10	40	

Item 15 was rated as a Strength in 41 percent of applicable New York City cases, 44 percent of applicable Onondaga County cases, and 57 percent of applicable Rockland County cases. Item 15 was rated as a Strength when reviewers determined the following:

- The child was placed with relatives (four cases).
- The child was not placed with relatives, but reviewers determined that searches for maternal and paternal relatives were not applicable because of the child’s current placement status (4 cases).
- The child was not placed with relatives, but the agency made diligent efforts to search for both maternal and paternal relatives (seven cases).

Item 15 was rated as an ANI in 18 cases when reviewers determined one or both of the following:

- The agency had not made efforts to search for maternal relatives (13 cases).
- The agency had not made efforts to search for paternal relatives (17 cases).

Rating Determination

Item 15 was assigned an overall rating of ANI. Reviewers determined that the agency had made diligent efforts to locate and assess relatives as potential placement resources in only 45 percent of the cases. This percentage is less than the 90 percent or higher required for a rating of Strength. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, when a placement into foster care is imminent, New York's policy requires that the caseworker must attempt to locate any relative identified by the parents or children and offer them the opportunity to become foster parents or direct custodians of the children. If the family court judge agrees to a relative's desire to become a custodian, the child will not enter foster care, although the case will remain open and there will be ongoing Permanency Hearings in the family court.

The Statewide Assessment notes that the frequency with which children are placed with relatives varies across the State. As indicated in the Statewide Assessment, New York City uses both direct placements with relatives to avoid placing the children in foster care and also certifies relative caregivers as foster home placements. The Statewide Assessment reports that in 2006, 39.3 percent of the children in foster care in New York City were placed with relatives, while in the rest of the State only 6.2 percent of the children in foster care were placed with relatives. Based on this difference, the Statewide Assessment notes that there is a need for clarity and guidance, including policy guidance, on the role of relatives in achieving permanency. The Statewide Assessment reports that relative caregivers interviewed as part of the Statewide Assessment process said that they are not always fully informed of all of their options, particularly the option of becoming an approved foster family, and that they do not receive sufficient training and services to meet the needs of the children placed in their care.

According to the Statewide Assessment, the implementation of Family Group Decision-Making is intended to provide a foundation for assisting families in identifying potential relative resources for their children. As part of this process, parents are encouraged to identify both maternal and paternal family members, as well as fictive kin and individuals close to the family who could be potential resources.

Stakeholder Interview Information

Some stakeholders commenting on this item during the onsite CFSR expressed the opinion that the agency makes diligent efforts to locate and assess both maternal and paternal relatives for placements. Other stakeholders, however, expressed the opinion that the agency does not seek out relatives, particularly for the initial placement. Stakeholders also suggested that when children are placed with relatives, there often is a lack of support for the relatives. This lack of support includes emotional support from the caseworker and financial support from the agency.

Item 16. Relationship of child in care with parents

 Strength X Area Needing Improvement

Case Review Findings

Item 16 was applicable for 31 (77.5 percent) of the 40 foster care cases. Cases were not applicable if (1) parental rights had been terminated prior to the period under review and parents were no longer involved with the child or (2) a relationship with the parents was considered to be not in the child’s best interests throughout the period under review. In assessing this item, reviewers were to determine whether the agency had made diligent efforts to support or maintain the bond between children in foster care and their mothers and fathers through efforts other than arranging visitation. The results of this assessment are provided in the table below.

Item 16	New York City	Onondaga County	Rockland County	Total	Percent
Strength	8	2	3	13	42
Area Needing Improvement	8	5	5	18	58
Total Applicable Foster Care Cases	16	7	8	31	
Not Applicable Foster Care Cases	4	3	2	9	
Total Foster Care Cases	20	10	10	40	

Item 16 was rated as a Strength in 50 percent of applicable New York City cases, 29 percent of applicable Onondaga County cases, and 37.5 percent of applicable Rockland County cases. Item 16 was rated as a Strength when reviewers determined that the agency made concerted efforts to support and/or strengthen the bond between parents and children. These efforts often included the following: (1) encouraging the parents’ participation in school or in after school activities and their attendance at medical appointments and special events (noted in 22 cases); (2) providing transportation to parents so that they can participate in these events, activities, or appointments (noted in 15 cases); and (3) providing opportunities for family therapeutic situations (noted in 22 cases).

Item 16 was rated as an ANI when reviewers determined one or both of the following:

- The agency did not make concerted efforts to support the relationship with the father (13 cases).
- The agency did not make concerted efforts to support the relationship with the mother (two cases).
- The agency did not make concerted efforts to support the relationship with either the mother or the father (three cases).

Rating Determination

Item 16 is assigned an overall rating of ANI. Reviewers determined that the agency had made concerted efforts to support the parent-child relationships of children in foster care in only 42 percent of applicable cases. This percentage is less than the 90 percent or higher required for a rating of Strength. Item 16 also was rated as an ANI in the State’s 2001 CF SR.

Statewide Assessment Information

According to the Statewide Assessment, in addition to visitation, the agency supports the parent-child relationship through utilizing foster parents as parent mentors, hiring parent consultants, and using volunteers from CASA: Advocates for Children of New York State. The Statewide Assessment also reports that New York City has two model programs intended to support the relationships of children in foster care with their parents. One is the Children of Incarcerated Parents program, which facilitates visiting between children and their parents in prison; the other is the Parent to Parent of New York State program, which is intended to support the development and maintenance of a positive relationship between the birth parent and the foster parent.

Stakeholder Interview Information

Some stakeholders commenting on this item expressed the opinion that parents may be invited to attend school meetings or psychological evaluations but not necessarily medical appointments. They noted that although there may be occasional efforts to involve parents in the child’s medical appointments and school meetings, they are not a general practice.

III. CHILD AND FAMILY WELL-BEING

Well-Being Outcome 1

Outcome Well-Being 1: Families have enhanced capacity to provide for their children’s needs					
Number of cases reviewed by the team according to degree of outcome achievement					
	New York City	Onondaga County	Rockland County	Total	Percent
Substantially Achieved	12	4	6	22	34.4
Partially Achieved	16	11	8	35	54.7
Not Achieved or Addressed	3	2	2	7	10.9
Total Applicable Cases	31	17	16	64	

Status of Well-Being Outcome 1

New York is not in substantial conformity with Well-Being Outcome 1. The outcome was substantially achieved in only 34.4 percent of the cases reviewed, which is less than the 95 percent or higher required for a determination of substantial conformity. The outcome was substantially achieved in 39 percent of New York City cases, 24 percent of Onondaga County cases, and 37.5 percent of Rockland County cases. In addition, the outcome was substantially achieved in 40 percent (16 cases) of the 40 foster care cases compared to 25 percent (6 cases) of the 24 in-home services cases. New York was not in substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP.

Key Concerns From the 2001 CFSR

In the 2001 CFSR, items 17 and 18 were rated as ANIs, while items 19 and 20 were rated as Strengths. The following key concerns were identified in the 2001 CFSR:

- Service plans lacked clear documentation of the assessment of service needs for all relevant parties, and provision of the services identified in the service plans was sometimes delayed or not initiated at all.
- The agency was not consistent in its efforts to engage families in case planning.
- The agency was not consistent with regard to efforts to locate and engage fathers in case planning.

To address these concerns, the State implemented the following strategies in its PIP:

- Developed and implemented a family-focused case planning and service review process
- Evaluated family conferencing models to identify effective models for engaging parents and children in case planning and then developed and supported implementation of the chosen models
- Created new strategies for locating birth fathers and involving them in case planning and decision-making processes

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

In the 2008 CFSR, all items incorporated in this outcome were rated as ANIs. Key concerns identified in the 2008 CFSR reflect a lack of consistency on the part of the agency with regard to the following:

- Assessing and addressing the service needs of fathers, mothers, children, and foster parents
- Involving children, mothers, and particularly fathers in case planning

- Ensuring that caseworkers are visiting children with sufficient frequency and that the visits focus on issues pertinent to case planning, service delivery, and goal attainment
- Ensuring that caseworkers are visiting parents—particularly fathers—with sufficient frequency and that visits with parents focus on issues pertinent to case planning, service delivery, and goal attainment

The findings pertaining to the specific items assessed under Well-Being Outcome 1 are presented and discussed below.

Item 17. Needs and services of child, parents, and foster parents

 Strength X Area Needing Improvement

Case Review Findings

Item 17 was applicable for all 64 cases. In assessing this item, reviewers were to determine whether the agency had (1) adequately assessed the needs of children, parents, and foster parents and (2) provided the services necessary to meet those needs. This item excludes the assessment of children’s (but not parents’) needs pertaining to education, physical health, and mental health. These areas are addressed in later items. The results of the assessment of item 17 are presented in the table below:

Item 17	New York City	Onondaga County	Rockland County	Total	Percent
Strength	12	5	6	23	36
Area Needing Improvement	19	12	10	41	64
Total Cases	31	17	16	64	

Item 17 was rated as a Strength in 39 percent of New York City cases, 29 percent of Onondaga County cases, and 37.5 percent of Rockland County cases. In addition, the item was rated as a Strength in 42.5 percent (17 cases) of the 40 foster care cases, compared to 25 percent (6 cases) of the 24 in-home services cases. Item 17 was rated as a Strength when reviewers determined that the needs of children, parents, and foster parents had been adequately assessed and that identified service needs had been met. Item 17 was rated as an ANI when reviewers determined that there was either inadequate assessment of needs or inadequate services to meet identified needs.

Specific case review findings for item 17 are shown in the table below. The data indicate that for both foster care and in-home services cases the agency was more likely to assess and meet the needs of children and mothers than to assess and meet the needs of fathers.

However, in the in-home services cases, the agency assessed and met the needs of the mothers in only 57 percent of the applicable cases.

Target person for needs assessment and services	Applicable Foster Care Cases		Applicable In-Home Services Cases	
	Yes	Total	Yes	Total
Mother's needs assessed and met?	24 (80%)	30	13 (57%)	23
Father's needs assessed and met?	8 (35%)	23	8 (40%)	20
Foster parents' needs assessed and met?	23 (79%)	29		
Child's needs assessed and met?	37 (92.5%)	40	18 (75%)	24

Rating Determination

Item 17 is assigned an overall rating of ANI. Reviewers determined that the State had adequately assessed and addressed the service needs of children, parents, and foster parents in only 36 percent of the cases. This percentage is less than the 90 percent or higher required for a rating of Strength. Item 17 also was rated as an ANI in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, assessing the needs of children, parents, and foster parents continues to be an ANI in New York. The Statewide Assessment reports that the following activities were implemented by OCFS to improve performance in this area:

- Developed the SPA instrument, which collects data on providing the services for parents, children, and foster parents that are necessary to achieve children's safety and permanency
- Conducted a survey of current and former foster parents to identify service needs necessary to prevent placement disruptions
- Implemented the Child Welfare/Substance Abuse Co-location and Child Welfare/Domestic Violence Co-location projects to enhance cross training among substance abuse and domestic violence specialists and child welfare caseworkers

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed different opinions regarding the effectiveness of the agency in assessing and meeting the service needs of parents, children, and foster parents. Several stakeholders indicated that caseworkers are effective in assessing and meeting the services needs of their clients, although they acknowledged that often the high caseloads carried by staff make this task more difficult. Several stakeholders also noted that many youth are receiving the services that they need to prepare them for independent living.

Despite these generally positive views, several stakeholders indicated that the needs of foster parents are not being assessed on a regular basis, and foster parents often are not receiving services to meet the needs they have self-identified. Stakeholders also noted that there are no post-adoption services. However, State-level stakeholders indicated that cost-of-living increases have been given to foster parents with the hope that this will help meet some of their needs.

Item 18. Child and family involvement in case planning

Strength Area Needing Improvement

Case Review Findings

Item 18 was applicable for 61 (95 percent) of the 64 cases. A case was not applicable if parental rights had been terminated prior to the period under review; if parents were not involved with the child in any way; or the child was too young, had cognitive delays, or other conditions that were barriers to participation in case planning. In assessing this item, reviewers were to determine whether parents and children (when appropriate) had been involved in the case planning process, and if not, whether their involvement was contrary to the child’s best interests. A determination of involvement in case planning required that a parent or child had actively participated in identifying the services and goals included in the case plan. The results of the assessment of item 18 are presented in the table below.

Item 18	New York City	Onondaga County	Rockland County	Total	Percent
Strength	13	6	7	26	43
Area Needing Improvement	16	11	8	35	57
Total Applicable Cases	29	17	15	61	
Not Applicable Cases	2	0	1	3	
Total Cases	31	17	16	64	

Item 18 was rated as a Strength in 45 percent of applicable New York City cases, 35 percent of Onondaga County cases, and 47 percent of applicable Rockland County cases. In addition, the item was rated as a Strength in 51 percent (19 cases) of the 37 applicable foster care cases, compared with 29 percent (7 cases) of the 24 in-home services cases.

Item 18 was rated as a Strength when reviewers determined that mothers, fathers, and children (when appropriate) had actively participated in the case planning process or that the agency had made concerted efforts to involve them in the case planning process. The item was rated as an ANI when reviewers determined that the agency had not made concerted efforts to involve the mother, father, and/or child (when appropriate) in the case planning process.

Key findings with regard to this item are presented in the table below. The data indicate that for both types of cases, mothers and children were more likely to be involved in case planning than fathers. However, mothers and children in foster care cases were more likely to be involved in case planning than mothers and children in in-home services cases. This pattern was reversed for fathers.

Target person for involvement in case planning	Foster Care Cases		In-Home Services Cases	
	Yes	Total Applicable Cases	Yes	Total Applicable Cases
Mother involved in case planning?	25 (83%)	30	16 (70%)	23
Father involved in case planning?	8 (32%)	23	8 (40%)	20
Children involved in case planning?	23 (85%)	27	11 (73%)	15

Rating Determination

Item 18 is assigned an overall rating of ANI. Reviewers determined that the agency had made diligent efforts to involve parents and children in the case planning process in only 43 percent of the applicable cases. This percentage is less than the 90 percent or higher required for a rating of Strength. Item 18 also was rated as an ANI in New York’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York regulations require local districts to include a child’s parents, guardians, and children older than age 10 (if appropriate) as participants in the development of the Child and Family Service Plan (CFSP). In addition, the service review must occur 60 days from removal or placement in foster care and every 6 months thereafter. Written notice of the service review is to be given to all parties 2 weeks in advance. When parents or guardians are unable to attend the service review, caseworkers are to make every effort to conduct a face-to-face meeting within the next 30 days to outline the goals, outcomes, upcoming tasks, activities, and timeframes in the case plan. OCFS guidelines direct caseworkers to involve absent parents or noncustodial parents in the service review process.

The Statewide Assessment also reports that in a 2007 case review, the agency was found to actively involve the parent(s) or guardian and/or the child (if age appropriate) in the case planning activities relevant to the current plan in 90 percent of the 190 applicable cases.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR stated that family team conferencing is occurring in some locations in the State and is expected to empower families to take the lead in defining their needs. Additional comments from stakeholders with regard to engaging parents in case planning are presented under item 25 in Systemic Factors Section B of this report.

Item 19. Caseworker visits with child

 Strength X Area Needing Improvement

Case Review Findings

Item 19 was applicable for all 64 cases. In assessing this item, reviewers determined whether the frequency of visits between the caseworkers and children was sufficient to ensure adequate monitoring of the child’s safety and well-being and whether visits focused on issues pertinent to case planning, service delivery, and goal attainment. The results of the assessment are presented in the table below.

Item 19	New York City	Onondaga County	Rockland County	Total	Percent
Strength	26	14	13	53	83
Area Needing Improvement	5	3	3	11	17
Total Cases	31	17	16	64	

Item 19 was rated as a Strength in 84 percent of New York City cases, 82 percent of Onondaga County cases, and 81 percent of Rockland County cases. In addition, the item was rated as a Strength in 87.5 percent (35 cases) of the 40 foster care cases and 75 percent (18 cases) of the 24 in-home services cases.

Item 19 was rated as a Strength when reviewers determined that the frequency and quality of visits between caseworkers and children were sufficient to ensure adequate monitoring of the child’s safety and well-being and promote attainment of case goals. Item 19 was rated as an ANI in 11 cases when reviewers determined the following:

- The frequency of caseworker visits was not sufficient to meet the needs of the child, and the visits did not focus on issues pertinent to case planning, service delivery, and goal attainment (three cases).
- The frequency of caseworker visits was sufficient, but the visits did not focus on issues pertinent to case planning, service delivery, and goal attainment (seven cases).
- There was never a contact between the caseworker and the child during the period under review (one case).

Specific information regarding the frequency of caseworker visits with children is presented in the table below. The data indicate that caseworkers had at least monthly contact with 95 percent of the children in the foster care cases, but only 79 percent of the children in the in-home services cases.

Typical frequency of caseworker visits with child (during the period under review)	Number and Percent of Cases	
	Foster Care	In-Home Services
Visits occurred at least once a week	14 (35%)	6 (25%)
Visits occurred less frequently than once a week but at least twice a month	11 (27.5%)	11 (46%)
Visits occurred less frequently than twice a month but at least once a month	13 (32.5%)	2 (8%)
Visits occurred less frequently than once a month	1 (2.5%)	5 (21%)
There were no visits during the period under review	1 (2.5%)	0
Total Cases	40	24

Rating Determination

Item 19 is assigned an overall rating of ANI. Reviewers determined that caseworker visits with children were of sufficient frequency and quality in 83 percent of the cases. This percentage is less than the 90 percent or higher required for a rating of Strength. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York has differing casework contact requirements for protective, preventive, and foster care cases. For prevention services, there must be at least 12 casework contacts with a child and/or family within a 6-month period, with 6 of the contacts made by the case planner and 2 of these contacts taking place in the child's home. For protective services cases, the caseworker must make at least two face-to-face contacts per month. For foster care cases, at a minimum, face-to-face contact must occur twice within the first 30 days of placement and once a month thereafter.

The Statewide Assessment notes that SPA data for 2007 indicate that in 63 percent of the cases reviewed, there was at least monthly face-to-face caseworker visits with children in foster care.

Stakeholder Interview Information

Many stakeholders commenting on this item during the onsite CFSR indicated that although visits generally are occurring at least once a month, the quality of visits is not as good as it should be because the caseworkers are overwhelmed with large caseloads and have limited time to engage with children and families. New York City stakeholders indicated that performance with regard to caseworker contacts with children is monitored through the uniform case record and that monitoring staff can run management reports to demonstrate who visited and when.

Several stakeholders reported that many youth in foster care have very positive relationships with their agency caseworkers and have frequent face-to-face contact with them. However, other stakeholders noted that caseworker contacts with youth in foster care often are infrequent and when they occur are very brief and focus only on whether basic needs are being met.

Item 20. Caseworker visits with parents

 Strength X Area Needing Improvement

Case Review Findings

Item 20 was applicable for 54 (84 percent) of the 64 cases. Cases were not applicable for this assessment if parental rights had been terminated prior to the period under review and parents were no longer involved in the lives of the children. One in-home services case was determined to be not applicable for this item because the child was 17.5 years old at the start of the period under review and was residing in the home of an unrelated adult, and parents refused to have contact with the agency. Reviewers were to assess whether the caseworker’s face-to-face contact with the children’s mothers and fathers was of sufficient frequency and quality to promote attainment of case goals and/or ensure the children’s safety and well-being. The results of the assessment of item 20 are presented in the table below.

Item 20	New York City	Onondaga County	Rockland County	Total	Percent
Strength	12	4	5	21	39
Area Needing Improvement	14	10	9	33	61
Total Applicable Cases	26	14	14	54	
Not Applicable Cases	5	3	2	10	
Total Cases	31	17	16	64	

Item 20 was rated as a Strength in 46 percent of applicable New York City cases, 29 percent of applicable Onondaga County cases, and 36 percent of applicable Rockland County cases. The item was rated as a Strength in 39 percent (12 cases) of the 31 applicable foster care cases and 39 percent (9 cases) of the 23 applicable in-home services cases.

Item 20 was rated as a Strength when reviewers determined that visits occurred with sufficient frequency to meet the needs of parents and children and that visits focused on issues pertinent to case planning, service delivery, and goal attainment. Item 20 was rated as an ANI when reviewers determined one or more of the following:

- Neither the frequency nor the quality of caseworker visits with the mother was sufficient to meet the needs of the child (five cases).
- The frequency of the caseworker visits with the mother was sufficient, but the visits did not focus on issues pertaining to case planning, service delivery, and attaining case goals (three cases).
- There were no visits with the mother (four cases).

- Neither the frequency nor the quality of caseworker visits with the father was sufficient to meet the needs of the child (seven cases).
- The frequency of the caseworker visits with the father was sufficient, but the visits did not focus on issues pertaining to case planning, service delivery, and attaining case goals (one case).
- The frequency of the caseworker visits with the father was not sufficient, but when visits occurred, they focused on issues pertaining to case planning, service delivery, and goal attainment (three cases).
- There were no caseworker visits with the father (17 cases).

Additional information from the case review is provided in the table below.

Typical frequency of caseworker visits with parents	Foster Care Cases		In-Home Services Cases	
	Mother	Father	Mother	Father
Visits occurred at least once a week	10 (33%)	1 (5%)	6 (27%)	1 (6%)
Visits occurred less frequently than once a week but at least twice a month	5 (17%)	2 (10%)	8 (36%)	1 (6%)
Visits occurred less frequently than twice a month but at least once a month	6 (20%)	1 (5%)	5 (23%)	3 (17%)
Visits occurred less frequently than once a month	6 (20%)	7 (33%)	2 (9%)	6 (33%)
There were no visits during the period under review	3 (10%)	10 (48%)	1 (5%)	7 (39%)
Total Applicable Cases	30	21	22	18

Rating Determination

Item 20 is assigned an overall rating of ANI. Reviewers determined that the frequency and quality of caseworker visits with parents were sufficient to monitor the safety and well-being of the child and promote attainment of case goals in only 39 percent of the applicable cases. This percentage is less than the 90 percent or higher required for a rating of Strength. Item 20 was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, OCFS requires monthly contact with the parents unless compelling reasons are documented why such contacts are not possible. However, the Statewide Assessment reports that data collected from the SPA instrument indicate that caseworker visits with parents were rated as a Strength in only 39 percent of cases reviewed in 2007.

Stakeholder Interview Information

Some stakeholders commenting on this item during the onsite CFSR expressed the opinion that in many cases, caseworker visits with mothers occurred at least monthly and were meaningful. However, most stakeholders also indicated that in general there was

insufficient contact between caseworkers and noncustodial parents and insufficient efforts on the part of the caseworkers to locate those parents. A few stakeholders suggested that lack of visits with parents may be attributed in part to the high level of turnover in the caseworker position.

Well-Being Outcome 2

Outcome WB2: Children receive appropriate services to meet their educational needs					
Number of cases reviewed by the team according to degree of outcome achievement					
	New York City	Onondaga County	Rockland County	Total	Percent
Substantially Achieved	23	12	11	46	88.5
Not Achieved	3	1	2	6	11.5
Total Applicable Cases	26	13	13	52	
Not Applicable Cases	5	4	3	12	
Total Cases	31	17	16	64	

Status of Well-Being Outcome 2

New York is not in substantial conformity with Well-Being Outcome 2, which includes only one item—item 21: Educational needs of the child. The outcome was substantially achieved in 88.5 percent of the cases. This percentage is less than the 95 percent or higher required for a rating of Strength. The outcome was substantially achieved in 88 percent of applicable New York City cases, 92 percent of applicable Onondaga County cases, and 85 percent of applicable Rockland County cases. Four of the six cases that did not achieve this outcome were foster care cases and two were in-home services cases. Only 14 of the 24 in-home services cases were determined to be applicable for a rating of this outcome. New York was in substantial conformity with this outcome in its 2001 CFSR and therefore was not required to address the outcome in its PIP.

The findings of the 2008 CFSR pertaining to the specific item assessed under Well-Being Outcome 2 are presented below.

Item 21. Educational needs of the child

Strength Area Needing Improvement

Case Review Findings

Item 21 was applicable for 52 (81 percent) of the 64 cases reviewed. Cases were not applicable if any of the following applied: (1) children were not of school age or (2) children in in-home cases did not have service needs pertaining to education-related issues. In assessing this item, reviewers were to determine whether children’s educational needs were appropriately assessed and whether concerted efforts were made to meet those needs. The results of the assessment of item 21 are provided below.

Item 21	New York City	Onondaga County	Rockland County	Total	Percent
Strength	23	12	11	46	88.5
Area Needing Improvement	3	1	2	6	11.5
Total Applicable Cases	26	13	13	52	
Not Applicable	5	4	3	12	
Total Cases	31	17	16	64	

Item 21 was rated as a Strength when reviewers determined that the child’s educational needs were appropriately assessed and that concerted efforts were made to provide necessary services. Item 21 was rated as an ANI in four cases when reviewers determined that there was a lack of assessment of educational needs despite information that an educational assessment was warranted. The item was rated as an ANI in two cases (one in-home services case and one foster care case) when children had been out of school for more than 1 year.

Rating Determination

Item 21 is assigned an overall rating of ANI. Reviewers determined that the agency had made diligent efforts to meet the educational needs of children in 88.5 percent of the applicable cases. This percentage is less than the 95 percent required for this item to be rated as a Strength. A 95-percent standard is set for this item because it is the only item assessed for the outcome.

Statewide Assessment Information

According to the Statewide Assessment, New York regulations require that child welfare agencies take the necessary steps to ensure that all children in foster care receive education appropriate to their needs and in accordance with the requirements of the State’s Education Law. In addition, the caseworker is required to have active contact with the school to make sure each child is receiving appropriate educational and vocational training. Educational records and evaluations are to be filed in the child’s case record.

As indicated in the Statewide Assessment, the State conducted a web-based survey in 2007 in which more than 1,340 foster youth ages 14 through 21 participated. Results of the survey indicated that only 76 percent of the respondents felt that their school needs

were properly met and 16 percent did not feel that their school needs were properly met. The Statewide Assessment indicates, however, that the survey was not based on a scientific sampling, and it may be that some voices were not included.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed different opinions regarding the effectiveness of the agency in meeting children's educational needs. Several stakeholders reported that the educational system is generally responsive to the needs of children in foster care and that the educational needs of these children are being met. They noted that individualized educational plans usually are developed when needed and that the schools try to meet the needs of the children. A few stakeholders indicated that there are educational advocates in some counties who work with foster parents to help meet the educational needs of children in foster care. Stakeholders also indicated that foster parents are more likely than caseworkers to take on the role of advocate with the schools.

Stakeholders also reported that, at the State level, there is a senior workgroup that includes the child welfare agency and the Department of Education and that there have been concerted efforts at the State administrative level to ensure that the educational needs of children in foster care are met, particularly with regard to preventing disruptions of a child's education when there is an initial placement or a placement change. Stakeholders also noted that the Governor's Office has called together several State agencies to help them more effectively coordinate educational services as well as other services.

Despite these positive perceptions, several New York City and Onondaga County stakeholders suggested that the child welfare system and the school system do not work well together. In New York City, most stakeholders expressed concern about how the lack of a strong relationship between ACS and the Department of Education has resulted in difficulties in enrolling children in schools when their placements are changed or providing transportation to keep children in their home schools when a placement occurs or is changed. In Onondaga County, stakeholders indicated that there is poor communication between the schools and the child welfare agency and that the schools often do not have the services that the children need.

Stakeholders across sites also expressed different opinions regarding the assistance provided to older youth to meet their educational needs, particularly with regard to higher education. Although several stakeholders praised agency efforts to support youth in their efforts to achieve higher education, other stakeholders indicated that caseworkers are not well informed about the educational benefits available to youth in foster care and do not help them as much as they could.

Well-Being Outcome 3

Outcome WB3: Children receive adequate services to meet their physical and mental health needs					
Number of cases reviewed by the team according to degree of outcome achievement					
	New York City	Onondaga County	Rockland County	Total	Percent
Substantially Achieved	19	15	14	48	84.2
Partially Achieved	5	1	1	7	12.3
Not Achieved or Addressed	2	0	0	2	3.5
Total Applicable Cases	26	16	15	57	
Not Applicable	5	1	1	7	
Total Cases	31	17	16	64	

Status of Well-Being Outcome 3

New York is not in substantial conformity with Well-Being Outcome 3. The outcome was substantially achieved in 84.2 percent of the applicable cases, which is less than the 95 percent or higher required for substantial conformity. The outcome was substantially achieved in 73 percent of applicable New York City cases, 94 percent of applicable Onondaga County cases, and 93 percent of applicable Rockland County cases. The outcome was substantially achieved in 83 percent (33 cases) of the 40 foster care cases and 88 percent (15 cases) of the 17 applicable in-home services cases. New York also was not in substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP.

Key Concerns From the 2001 CFSR

In the 2001 CFSR, item 22 (physical health of the child) was rated as a Strength, but item 23 (mental health of child) was rated as an ANI. The key concerns identified in the 2001 CFSR were the following:

- Long waiting lists for mental health services
- Inadequate quality of mental health assessments
- Insufficient quantity of mental health service providers
- Lack of communication between mental health staff and child welfare caseworkers

To address these concerns, New York implemented the following strategies in its PIP:

- Caseworkers were required to assess the behavioral and mental health needs of every child in foster care and document the assessment in CONNECTIONS, which was enhanced to support these assessments.

- OCFS developed an assessment tool for foster parents to use to identify mental and physical health needs of children in their care.
- OCFS participated in the Coordinated Children’s Services Initiative (CCSI), which is a cross-systems statewide team that identifies systemic barriers to the provision of mental health services and develops strategies for overcoming identified barriers.

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

Similar to the 2001 review, in the 2008 CFSR, item 22 was rated as a Strength and item 23 was rated as an ANI. The key concern identified in the 2008 CFSR was the lack of consistency on the part of the agency with regard to assessing and meeting children’s mental health needs.

Findings pertaining to the specific items assessed under Well-Being Outcome 3 are presented and discussed below.

Item 22. Physical health of the child

Strength Area Needing Improvement

Case Review Findings

Item 22 was applicable for 49 (77 percent) of the 64 cases reviewed. Cases that were not applicable were in-home services cases in which physical health concerns were not an issue. In assessing this item, reviewers were to determine whether (1) children’s physical health needs, including dental needs, had been appropriately assessed, and (2) the services designed to meet those needs had been or were being provided. The findings of this assessment are presented in the table below.

Item 22	New York City	Onondaga County	Rockland County	Total	Percent
Strength	19	15	12	46	94
Area Needing Improvement	3	0	0	3	6
Total Applicable Cases	22	15	12	49	
Not Applicable Cases	9	2	4	15	
Total Cases	31	17	16	64	

Item 22 was rated as a Strength in 86 percent of applicable New York City cases and 100 percent of Onondaga and Rockland County cases. In addition, the item was rated as a Strength in 93 percent (37 cases) of the 40 foster care cases and 100 percent of the 9

applicable in-home services cases. Item 22 was rated as a Strength when reviewers determined that children’s health needs (medical and dental) were routinely assessed and services provided as needed. Item 22 was rated as an ANI in three foster care cases when reviewers determined the following: In one case, the child had not had a dental exam; in one case, the child had health-related needs that were not met; and in one case, the child did not receive a needed physical examination in a timely manner.

Rating Determination

Item 22 is assigned an overall rating of Strength. In 94 percent of the applicable cases, reviewers determined that the agency was adequately addressing the health needs of children in the foster care and in-home services cases. This percentage exceeds the 90 percent required for a rating of Strength. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, OCFS requires that each child admitted into foster care must have a comprehensive medical examination within 30 days of admission unless records are available to document that such an exam was completed within 90 days prior to admission. Periodic medical exams must include immunizations as needed and vision assessments. Foster parents are to receive the child’s comprehensive health history at the time of placement. The Statewide Assessment reports that all children in foster care 3 years of age or older must be examined by a dentist annually and must be provided with needed dental care. Despite these requirements, the Statewide Assessment also reports that a comprehensive review of a sample of foster care records in 2005 indicated that only 78 percent of children received well-child services, and only 37 percent of children received routine dental care.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that child welfare agencies are effective in meeting children’s routine medical and dental needs. However, several stakeholders indicated that orthodontic services are difficult to obtain. Several stakeholders commented that the Medicaid waiver program, Bridges to Health, is able to meet all of the medical needs of children who qualify for the program.

Item 23. Mental health of the child

Strength Area Needing Improvement

Case Review Findings

Item 23 was applicable for 49 (77 percent) of the 64 cases reviewed. Cases were not applicable if the child was too young for an assessment of mental health needs, or if there were no mental health concerns. In assessing this item, reviewers were to determine whether (1) mental health needs had been appropriately assessed and (2) appropriate services to address those needs had been provided. The results of this assessment are presented in the table below.

Item 23	New York City	Onondaga County	Rockland County	Total	Percent
Strength	18	13	11	42	86
Area Needing Improvement	5	1	1	7	14
Total Applicable Cases	23	14	12	49	
Not Applicable Cases	8	3	4	15	
Total Cases	31	17	16	64	

Item 23 was rated as a Strength in 78 percent of applicable New York City cases, 93 percent of applicable Onondaga County cases, and 92 percent of applicable Rockland County cases. Five of the seven cases rated as an ANI were foster care cases. Item 23 was rated as a Strength when reviewers determined that children’s mental health needs were appropriately assessed and the identified mental health needs were addressed. Item 23 was rated as an ANI in seven cases when reviewers determined the following:

- Mental health needs were not assessed or addressed (two cases).
- Mental health services were not provided to address identified needs (five cases). In one of these cases, mental health services were provided but not in a timely manner.

Ratings Determination

Item 23 is assigned an overall rating of ANI. Reviewers determined that the agency had made concerted efforts to address the mental health needs of children in 86 percent of the cases reviewed. This percentage is less than the 90 percent or higher required for a rating of Strength. Item 23 also was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York regulations require that each child in foster care receive comprehensive medical and health services, including psychiatric, psychological, and other essential services as appropriate for the needs of the child.

As indicated in the Statewide Assessment, New York completed a comprehensive review of a sample of medical and foster care records in 2005. The results were that 89 percent of the records documented an initial mental health assessment; 33 percent of children

had a least one mental health problem identified; 28 percent of children received individual therapy; 82 percent of the records documented an initial developmental assessment; and 42 percent of children had at least one developmental problem identified.

Stakeholder Interview Information

Various stakeholders commenting on this item during the onsite CFSSR identified the following barriers to comprehensive mental health services for children:

- When there is high caseworker turnover and the case is transferred to a new caseworker, the new caseworker may be unaware of the mental health needs of the child.
- A lack of transportation causes clients to miss assessments and appointments.
- Some mental health assessments are poor quality.
- Some caseworkers obtain the mental health needs assessment but do not follow through on provision of services.
- Caseworkers may obtain a mental health assessment on the target child in the home but fail to address mental health needs for other children in the family.

SECTION B: SYSTEMIC FACTORS

This section of the CFSR Final Report provides information regarding New York’s performance on the seven systemic factors examined during the CFSR. Information on the items included under each systemic factor comes from the Statewide Assessment and from interviews with stakeholders conducted during the onsite CFSR. Performance on the systemic factor is assessed as either “In Substantial Conformity” or “Not in Substantial Conformity” with the requirements of the CFSP.

Scores of 3 and 4 represent substantial conformity. Scores of 1 or 2 mean that a State is not in substantial conformity with the requirements of the systemic factor. As shown in the table below, a score of 1 is given when none of the CFSP or program requirements is in place. A score of 2 indicates that some or all of the CFSP or program requirements are in place but more than one of the requirements fail to function as described in each requirement. A systemic factor is rated 3 when all of the CFSP or program requirements are in place and no more than one of the requirements fails to function as described in each requirement. A rating of 4 is given when all of the CFSP or program requirements are in place and functioning as described in each requirement. If a State is not in substantial conformity with a particular systemic factor, then that factor must be addressed in the State’s PIP.

Rating the Systemic Factor			
Not in Substantial Conformity		In Substantial Conformity	
1	2	3	4
None of the CFSP or program requirements are in place.	Some or all of the CFSP or program requirements are in place, but more than one of the requirements fail to function as described in each requirement.	All of the CFSP or program requirements are in place, and no more than one of the requirements fails to function as described in each requirement.	All of the CFSP or program requirements are in place and functioning as described in each requirement.

Information also is provided in this section about the State’s performance on each systemic factor in the State’s first CFSR conducted in FY 2001. If the systemic factor was part of the State’s PIP, the key concerns addressed in the PIP and the strategies for assessing those concerns are noted.

I. STATEWIDE INFORMATION SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		In Substantial Conformity	
		1	2X	3

Status of Statewide Information System

New York is not in substantial conformity with the systemic factor of Statewide Information System. The State was not in substantial conformity with this factor in its 2001 CFSR and was required to address this systemic factor in its PIP.

Key Concerns From the 2001 CFSR

The key concern identified during the 2001 CFSR was that the State was using multiple information systems that provided most but not all of the required information to track the status, demographics, location, and goals for children in foster care. To address this concern, the State made changes to its statewide information system, CONNECTIONS, to enhance the existing reporting and processing of data needed to identify and track all children in foster care. New York met its target goals for this systemic factor by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

The findings with regard to the one item assessed for this systemic factor are presented below.

Item 24. The State is operating a statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care

Strength Area Needing Improvement

Item 24 is rated as an ANI. Although New York is operating a statewide information system (CONNECTIONS) from which staff can readily identify the status, demographic characteristics, and location for each child in foster care, there are concerns about the accuracy and currency of information relevant to the child's goals. The Statewide Assessment notes that because of challenges with regard to the timeliness of data entry into CONNECTIONS, information on a child's permanency goal at any given time may not be reliable.

Statewide Assessment Information

According to the Statewide Assessment, New York operates multiple interfaced automated information systems that are designed to collect and report information relevant to child welfare. Two legacy systems are in use: the Welfare Management System (WMS), which is used to support eligibility and service authorization, and the Child Care Review Service (CCRS) system, which is used to support foster care placement, legal events, and adoption milestone recording. The Statewide Assessment notes that both systems are interfaced with CONNECTIONS, which is New York's Statewide Automated Child Welfare Information System. In addition, the Statewide Services Payment System (SSPS) was implemented in 2005.

The Statewide Assessment notes that SSPS, WMS, and CCRS support the Benefits Issuance and Control System (BICS), which is used to issue payments and regulate claims for foster care, adoption, and preventive services. Demographic and child characteristics data are entered into CONNECTIONS and synchronized with WMS and CCRS. Location and goals for placement are entered into CCRS and displayed in CONNECTIONS. CONNECTIONS resource information is used by WMS, CCRS, and BICS for placement location, purchase, and payment purposes.

The Statewide Assessment reports that the "timely entry of assessment and planning information into CONNECTIONS has consistently challenged districts and agencies statewide" and that "staff at OCFS are concerned that data quality might be an issue" with regard to information on permanency goals. As indicated in the Statewide Assessment, although the systems can produce the required information, the information on permanency goals, in particular, is not current. The Statewide Assessment speculates that the goals are being established in a timely manner but that caseworkers are not entering this information into CONNECTIONS in a timely manner.

The Statewide Assessment also reports that OCFS developed a data warehouse for providing access to data retrieved from CONNECTIONS and State legacy data systems. The Statewide Assessment also reports that the commissioner's dashboard is a web-based tool that provides high-level management reports including performance indicators. Data are provided to support local districts and voluntary agencies via the Operational Data Store, a raw incremental file sent to participating entities with an approved secure server.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that the current data systems capture important information related to the safety, permanency, and well-being of children who are in foster care or in-home placements, including their location, demographic information, and case goals. They noted that the current systems are used for reporting data to the National Child Abuse and Neglect Data System and the Adoption and Foster Care Analysis and Reporting System. In addition,

stakeholders said that there is a system in place to ensure entry of data regarding placement changes for children who are being served by private child-placing agencies.

Various stakeholders identified the following strengths of CONNECTIONS:

- It is effective in providing key information such as treatment, placement, and permanency plans and provides tracking of children in foster care.
- It provides data for monthly dashboard reports used by managers.
- It is effective in providing ticklers and alerts to help caseworkers monitor foster care cases.

Despite these strengths, some stakeholders indicated that although there has been a lot of progress with the systems, it remains a challenge to verify the data they hold. It was noted that even demographic information, such as a child’s birth date, can be inaccurate and that, because the system is very cumbersome to navigate, data entry often is not done in a timely fashion. Many stakeholders indicated that the system is not user-friendly and often crashes so that if information is needed on a particular day for a particular child, it may not be available.

II. CASE REVIEW SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		In Substantial Conformity	
	1X	2	3	4

Status of Case Review System

New York is not in substantial conformity with the systemic factor of Case Review System. The State was not in substantial conformity with this systemic factor during its 2001 CFSR and therefore was required to address the factor in its PIP.

Key Concerns From the 2001 CFSR

The following key concerns relevant to the Case Review System were identified in the 2001 CFSR:

- The State was not consistent in involving parents, particularly fathers, in the development of case plans.
- The State was not consistent with regard to holding permanency hearings in a timely manner.
- The State was not consistent regarding filing a TPR petition in accordance with the timeframes established by ASFA.

To address these concerns, New York implemented the following strategies in its PIP:

- Developed a system to measure the involvement of families in the case planning process
- Evaluated the effectiveness of various group-conferencing models and implemented the model determined to be most effective in involving family members in the case planning process
- Convened a statewide team to identify strategies to overcome the barriers to holding permanency hearings in a timely manner
- Assessed barriers to timely TPR and implemented strategies to overcome barriers

New York met its target goals for this systemic factor by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

Specific findings for each item included in this systemic factor are presented below.

Item 25. The State provides a process that ensures that each child has a written case plan to be developed jointly with the child's parent(s) that includes the required provisions

Strength Area Needing Improvement

Item 25 is rated as an ANI. As indicated in the Statewide Assessment, although efforts have been made in the State to improve the case planning and service planning processes, parents are not actively involved in case planning in a consistent manner. In addition, in the 2008 CFSR case review, item 18, which assesses child and family involvement in case planning, was rated as a Strength in only 43 percent of the cases reviewed. Reviewers determined that 77 percent of mothers and only 37 percent of fathers were involved in case planning. Item 25 also was rated as an ANI in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York requires a case plan for all families receiving CPS, preventive services, or foster care services. An initial FASP is required within 7 days of a determination if a case will be opened for child welfare services or within 30 days of a foster care placement, a court order, or a receipt of an application for services, whichever is earliest. The Statewide Assessment describes the case plan as a comprehensive assessment that identifies strengths, risks, and underlying conditions and needs that create the risks. The Statewide Assessment also notes that all case plans must be approved by the case manager. The case plan is required to incorporate ongoing monthly progress reports and is to be amended at points of significant change. The Statewide Assessment reports that there has been a decline in meeting the 30-day case plan requirement and setting permanency goals within 30 days of placement, from 55.5 percent in 2002 to 50.8 percent in 2006. This was attributed in part to delays in data entry.

The Statewide Assessment also reports that OCFS regulations require inclusion of the child's parents, guardians, and children age 10 or older (if appropriate) in the development of the case plan. Two weeks in advance of a case planning conference, written notice must be given to parents, guardians, and other relevant parties. When parents or guardians are unable to attend, every effort must be made to conduct a face-to-face meeting within the next 30 days to outline the goals, outcomes as well as upcoming tasks and activities and timeframes.

As noted in the Statewide Assessment, FESes are stationed in each RO to support family engagement practice. An initial assessment of FES effectiveness, using a self-report survey administered to caseworkers and supervisors, found increases in the following practices: use of family meetings, visitation, working with absent fathers, and concurrent planning. However, the Statewide Assessment also notes that survey participants reported that greater efforts are needed in working with absent fathers.

In addition, the quality assurance (QA) review in 2007 found that “the agency actively involved the parent(s) or guardian and/or the child (if age appropriate) in the case planning activities relevant to the current plan” in 90 percent of the 190 cases reviewed. The Statewide Assessment reports that caseworkers are making concerted efforts to accommodate work schedules of birth parents by scheduling family meetings after normal business hours or on weekends, and holding them in locations that would decrease the parents' travel time. As stated in the Statewide Assessment, however, “although the State has made significant strides in improvement, it is clear that more work must be done to actively involve children and parents in case planning.”

Stakeholder Interview Information

Some stakeholders commenting on this item during the onsite CFSR expressed the opinion that the agency has all of the structures in place to support the development of comprehensive case plans in a timely manner. A few stakeholders noted, however, that some case plans “are less substantive” than others because high caseloads often prevent caseworkers from developing more comprehensive and individualized plans.

Although some stakeholders indicated that parents are involved in case planning, other stakeholders noted that involving parents, and particularly, fathers, in case planning has been a longstanding problem for the State. These stakeholders noted that although efforts are currently being made to remediate this problem, fathers remain less likely than mothers to be involved. Many stakeholders also indicated that the involvement of parents in case planning tends to vary across locations in the State, and several stakeholders said that involving parents is not a consistent practice and the extent of involvement depends on both the supervisor and caseworker who are responsible for the case.

Various stakeholders identified the following as strategies developed by the State to improve the engagement of parents in case planning:

- Implementation of family group conferencing or permanency mediation to engage parents
- Implementation of family-friendly practices such as flexible scheduling of case planning meetings, holding case planning meetings in locations that are easily accessible to families, and involving families through conference calls
- Training of caseworkers on the case planning process with one module specific to obtaining and using input from the family
- Employment of FESes to provide technical assistance to agency staff in the area of engaging parents in case plan development
- Implementation of procedures to use the Federal Parent Locator Service to assist in locating absent parents

Item 26. The State provides a process for the periodic review of the status of each child no less frequently than once every 6 months, either by a court or by administrative review

Strength Area Needing Improvement

Status of Case Review System

Item 26 is rated as an ANI. Stakeholder interviews conducted during the CFSR indicate that in many areas of New York State, the periodic reviews are combined with the permanency hearing. When these reviews are combined, the periodic reviews frequently are delayed and consequently are not being held at least once every 6 months on a consistent basis. The Statewide Assessment did not provide data regarding the timeliness of periodic reviews. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York regulations require periodic reviews of the family service plans for foster care cases and other out-of-home placement cases. These SPRs are due within 90 days from the removal date and every 6 months thereafter. An SPR must include a case planner and a third-party reviewer and must allow for notification to and participation of the parents, guardians, any foster child over 10 years of age, and the child's foster parents and service providers. Written notification must be made at least 2 weeks prior to the review.

The Statewide Assessment also notes that the permanency hearing may in some instances serve as an SPR (the periodic review and the permanency hearing review may be combined) because New York State regulations require that permanency hearings are to occur within 8 months after the child enters foster care and every 6 months thereafter.

The Statewide Assessment did not include any data regarding the State's compliance with these regulations.

Stakeholder Interview Information

Stakeholders commenting on this item expressed different opinions regarding whether periodic reviews are held in a consistent manner across the State at least every 6 months. Some New York City stakeholders expressed the opinion that when periodic reviews are combined with court permanency hearings, the periodic reviews frequently are delayed because of agency- and court-related factors that result in delays in the permanency hearing. Some New York City stakeholders indicated that delays occur because the agency does not provide the necessary reports to the court in advance as required, and that often these reports are late because of the high turnover in the caseworker position. New York City stakeholders also indicated that delays occur when periodic reviews are held by the courts at the time of the permanency hearing because of the high judicial caseloads. They suggested that more judges are needed to hear the reviews. New York City stakeholders also commented that because court calendars are very full, cases often are continued, even when there are referees or expeditors to provide assistance.

In contrast to New York City, Onondaga County stakeholders said that periodic reviews are held at least every 6 months. However, stakeholders in this county also expressed the opinion that the frequency of reviews does not appear to affect the timeliness of permanency. Some Onondaga County stakeholders attributed problems in achieving permanency in a timely manner to the characteristics of the families and the lack of resources available to meet the needs of the family.

Rockland County stakeholders said that periodic reviews and permanency hearings are done simultaneously, but they did not comment on whether these reviews were held at least once every 6 months.

Item 27. The State provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter

Strength **Area Needing Improvement**

Item 27 is rated as an ANI because permanency hearings are not occurring in a timely manner. Both the Statewide Assessment and stakeholders interviewed during the onsite CFSR report that the delays in hearings and the generally low quality of the hearings are the result in large part of insufficient judicial resources to handle the large volume of cases and provide the level of judicial oversight that is required by State statute. Stakeholders also expressed concern that the hearings are not moving children toward permanency in a timely manner. The Statewide Assessment does not provide data on the number and percentage of timely permanency hearings. This item also was rated as an ANI during the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York State regulations require that permanency hearings are to occur within 8 months after the child enters foster care and every 6 months thereafter. At these hearings, the court monitors the viability of the permanency goal, which is documented in the Permanency Hearing Report, and the court can accept the goal or change it. If the judge and agency disagree about an appropriate permanency goal for the case, the court determines the goal.

The Statewide Assessment also reports, however, that New York State's 2005 Permanency Legislation has resulted in a court-based review system that has dramatically increased the judicial caseload volume. As indicated in the Statewide Assessment, the number of judges was established by New York State statute in the late 1980s and was not increased with the Permanency Legislation, resulting in increased caseloads for the limited number of judges. The Statewide Assessment notes that in 2006 original filings of new abuse or neglect petitions in New York City increased 147 percent from the previous year. The increase in new filings affects the court calendars and caseloads. As indicated in the Statewide Assessment, the resulting judicial caseload volume is an impediment to implementing permanency hearings within the legislative timelines and also affects the quality of the permanency hearings because it makes it difficult for caseworkers, law guardians, and others to prepare and distribute the reports in a timely manner. The Statewide Assessment also reports that delays in permanency hearings can be attributed to postponements or adjournments of the hearings.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed different opinions regarding the timeliness of permanency hearings. Although most Rockland County and Onondaga County stakeholders commenting on this item during the onsite CFSR expressed the opinion that permanency hearings are held in a timely manner in those counties, many New York City stakeholders noted that permanency hearings often are not held in a timely manner. The New York City stakeholders expressed the opinion that the challenges to timely permanency hearings are related to the volume of cases that must be scheduled for the courts, which results in overcrowded court dockets, and the fact that in most courts, the cases are staying on the court calendar and the court is providing extensive oversight of child welfare cases. Some New York City stakeholders also suggested that attorneys are not receiving the permanency hearing report within the mandated timeframe and therefore are being granted continuances. New York City stakeholders noted that the quality of the hearing varies depending on the presiding judge or referee.

Several stakeholders in New York City and Onondaga County indicated that permanency hearings do not always move cases forward to permanency because of the limited resources and services available to meet the families' needs for permanency. Onondaga County stakeholders also expressed the opinion that the time and effort required for the permanency hearing is a burden on caseworkers and the amount of waiting time in the court room can be an impediment to participation by family members or foster parents. According to several Onondaga County stakeholders, the county has an internal pre-permanency hearing meeting that has been helpful in focusing on barriers to permanency and holding staff accountable for their actions.

Item 28. The State provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act

Strength Area Needing Improvement

Item 28 is rated as an ANI. Although the State has a process in place for filing for TPR in accordance with the provisions of ASFA, this process is not being implemented consistently across the State, particularly with regard to documenting compelling reasons when a TPR petition is not filed. Case review findings for item 7, which assesses compliance with ASFA timelines, indicate that ASFA requirements for filing a petition for TPR and for documenting compelling reasons for not filing were not met in 38 percent (8 cases) of the 21 cases for which these requirements were applicable. The Statewide Assessment does not provide statewide data on the number or percentage of applicable cases in which the ASFA requirements were met.

Statewide Assessment Information

According to the Statewide Assessment, the State requires a petition to terminate parental rights when a child has been in foster care for 15 of the most recent 22 months; when the court has determined that the child is abandoned; or when the court has determined that the parent committed murder, voluntary manslaughter, or a felony assault resulting in serious bodily injury to the child or another child of the parent. A TPR petition is not required when the child is being cared for by a relative; the family has not been provided services necessary for the safe return of the child; or the district or agency has documented compelling reasons why filing a TPR petition is not in the child’s best interests. The Statewide Assessment does not provide data to support that these requirements are being met throughout the State.

As indicated in the Statewide Assessment, OCFS developed guidance for districts and agencies in determining what constitutes compelling reasons for not filing a TPR. For example, if a child is 14 years or older and does not want to be adopted, that is considered a compelling reason not to file a TPR. Other reasons not to file TPR are listed in the Statewide Assessment.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed different opinions across the CFSR sites. Some New York City stakeholders indicated that the agency is not consistent in filing for TPR in a timely manner, although it was noted that the court maintains a tracking system to identify cases that meet the ASFA requirement and notifies the agency to file the TPR petition. Several New York City stakeholders expressed the opinion that because of the high volume of court caseloads, even when a petition is filed, TPR petitions may not be heard in a timely fashion and are sometimes adjourned for more than 6 months.

Onondaga County stakeholders commenting on this item expressed the opinion that the agency files for TPR in a timely manner. However, stakeholders in this county also noted that the hearing of the petition may be delayed when the judge determines that families are making some level of progress toward achieving their case plan service goals.

Most Rockland County stakeholders expressed the opinion that TPR is filed in a timely manner and that when not filed, caseworkers are correctly documenting compelling reasons when required by the ASFA guidelines. According to some Rockland County stakeholders, the TPR process is facilitated by the fact that one attorney follows a case from inception to permanency and therefore is familiar with the case. Rockland County stakeholders also noted that in that county there is a practice of seeking voluntary or conditional relinquishments in lieu of a petition for TPR.

Several stakeholders expressed the opinion that because there are extremely limited resources for substance abuse and mental health services, the ASFA guidelines may not allow enough time for a family to meet its service goals.

Item 29. The State provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child in their care

Strength Area Needing Improvement

Item 29 is rated as an ANI because notification of foster parents, adoptive parents, and relative caregivers about the dates of reviews or hearings concerning the children in their care and about their opportunity to be heard is inconsistent across the State. The Statewide Assessment does not provide data regarding the percentage of foster parents, adoptive parents, and relative caregivers who are provided with this notice. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York State law requires that foster parents, pre-adoptive parents, and relatives providing care for children are provided notification of each permanency hearing and requires that these parties have a right to be heard at the hearing. Two weeks prior to the permanency hearing, foster parents, pre-adoptive parents and relatives caring for a child must be provided with a Permanency Hearing Report. The Statewide Assessment does not provide data to support that these requirements are being met.

The Statewide Assessment notes that key barriers to the participation of caregivers in the hearings are the following:

- Uncertainty on the part of the caregivers about what each party is supposed to do

- Caregivers not knowing whether the judge will allow them to testify
- Extremely long waiting periods for a case to be called

The Statewide Assessment reports that foster parents participating in focus groups expressed uncertainty about their roles in a permanency hearing and indicated that they would like training related to this process.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed different opinions. Most New York City and Onondaga County stakeholders indicated that foster parents are receiving notice of hearings in a timely manner and that they are allowed to be heard. New York City stakeholders noted that the courts may solicit the opinions of caregivers on the child’s situation and that foster parents are encouraged to participate in hearings, and their input on status issues and concerns is solicited. New York City stakeholders also noted the court actually mails notifications and that many courts will not proceed with a permanency hearing if notification to all parties has not occurred.

While some Rockland County stakeholders expressed the opinion that the agency sends notices of hearings and a copy of the Permanency Hearing Report to the children’s caregivers, other stakeholders in this county expressed the opinion that foster parents do not always get notice of the hearings and that caseworkers do not encourage them to attend unless a TPR petition has been filed. Rockland County stakeholders noted that, in particular, there is a lack of consistent notification of foster parents in private agencies and of kinship caregivers. Some Rockland County stakeholders also indicated that foster parents sometimes are told that they are not allowed to go to hearings and foster parents believe that they are not allowed to be heard in a hearing unless it is a TPR hearing.

III. QUALITY ASSURANCE SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		In Substantial Conformity	
	1	2	3	4X

Status of Quality Assurance System

New York is in substantial conformity with the systemic factor of Quality Assurance (QA) System. The State was in substantial conformity with this factor in its 2001 CFSR and was not required to address the factor in its PIP. Specific findings for each item included in this systemic factor and the reasons for item ratings are presented below.

Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children

Strength **Area Needing Improvement**

Item 30 is rated as a Strength because New York State has developed and currently implements standards to ensure that children in foster care are provided quality services that protect the safety and health of children. This item was rated a Strength in the State's 2001 CFSR.

Statewide Assessment Information

The Statewide Assessment provides a thorough description of how the State uses standards to ensure that children have quality foster care providers through criminal history, child abuse checks, and thorough comprehensive home studies. The Statewide Assessment notes that all child care facilities must be inspected and meet the standards prior to being issued an operating certificate. Facilities are re-inspected on an ongoing basis to ensure that safety and health standards are met. Additional standards to ensure quality services have been established with regard to caseworker contacts with children, case planning, safety and risk assessments, and provision of services such as health services. These standards are posted on the OCFS website for easy access.

The Statewide Assessment also notes that when the State receives a report alleging abuse or neglect in a congregate care setting, OCFS conducts the investigation with specially trained regional OCFS investigators.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that OCFS has developed and implemented standards to ensure that children in foster care are provided quality services that protect their safety and health. They noted that OCFS has implemented a QA process with providers that includes quarterly reviews and involves a balance between quantitative and qualitative performance measures. Stakeholders said that when issues are noted in a particular district, a corrective action plan is put into place.

Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the Child and Family Service Plan are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented

Strength **Area Needing Improvement**

Item 31 is rated as a Strength because the State has a functioning QA system that addresses key practice areas and provides feedback on findings. This item also was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the agency's QA system is operated by the Program Monitoring Unit in the Office of Regional Operations. The RO monitors the local districts and voluntary agencies that provide child welfare services. The Program Monitoring Unit supports the ROs in conducting case record reviews in CPS and in foster care. The ROs conduct the licensing and monitoring activities and the voluntary agency reviews. The Statewide Assessment reports that new QA initiatives have been recently implemented to include presentation of QA data to local offices to assist caseworkers in understanding quality of practice issues in managing cases.

As indicated in the Statewide Assessment, the State's QA system performs the following activities:

- The State reviews cases involving CPS investigations for all local districts. These case reviews are followed by a final report identifying strengths, areas of concern, and any required and recommended action. If necessary, the local district develops a corrective action plan to respond to areas of concern and OCFS ROs provide oversight of the corrective action plans.
- The State reviews cases of children in foster care for all local districts via a random sample of the foster care population. These cases are reviewed for a 1-year period to assess safety and risk; the appropriateness of the permanency goal; activities to support progress toward the goal; frequency of caseworker contact; and the appropriateness of the visitation plan and service provision to the child, foster parents, and discharge resource. These case reviews are followed by a final report identifying strengths and areas of concern including any required and recommended actions. If necessary, a corrective action plan is developed with oversight provided by OCFS ROs.
- The State reviews title IV-E activities and prepares for title IV-E foster care eligibility reviews.
- The State generates management reports that identify strengths and successful strategies and recommend ways effective practices and system performances can be replicated and/or improved.

The Statewide Assessment reports that New York City has implemented several new QA processes to provide quality oversight. As indicated in the Statewide Assessment, the New York City ACS, Division of Quality Assurance, uses the Improved Outcomes for Children (IOC) system for routine monitoring. The IOC is a system reform program that includes the delegations of case management to contracted provider agencies and uses a family-centered practice model that includes family team conferences. The IOC QA system also includes site visits, case reviews, and interviews conducted by the Agency Program Assistance Department. In addition, the ACS Policy and Planning Division is responsible for implementing the agency's annual evaluation of contracted foster care programs. The evaluation consists of case record reviews; observations of foster boarding homes and congregate care facilities; and interviews with

foster parents, child care workers, and youth in supervised IL programs. The evaluation results are displayed on a scorecard, a user-friendly dashboard consisting of performance indicators, areas of strengths, and areas of concern.

Stakeholder Interview Information

The majority of stakeholders commenting on this item during the onsite CFSR expressed the opinion that the State and local QA processes are very effective in identifying strengths and areas of concern in both outcome- and practice-related areas. Stakeholders said that feedback is provided to all levels of agency operations, including case-specific feedback to individual caseworkers and supervisors. They also noted that internal resources may be realigned and external resources obtained for assistance with a corrective action plan or when training needs are identified.

Most stakeholders said that the QA reviews drive practice and focus on exceeding minimum standards. They praised the fact that QA reviews include both case file reviews and interviews with parents, children, and other relevant stakeholders. Several stakeholders also expressed positive opinions about the interest of the agency commissioner in using data as a basis for implementing practice improvements. They noted that QA information is used to support implementation of new practices and to monitor and evaluate program improvement efforts.

Stakeholders at the county level indicated that each local office has its own QA system. New York City stakeholders reported that the city’s is extensive and includes a Provider Agency Management System (PAMS), which is part of the ACS evaluation system scorecard. PAMS reviews a random sample of cases for the previous 6 months. The review includes interviews with congregate care staff, foster parents, children, and child care workers. After scores are complete and mailed to the agency, an exit interview is held. A corrective plan is developed, if needed, and includes a timeline for correction.

IV. TRAINING

Rating of Review Team Regarding Substantial Conformity				
	Not in Substantial Conformity		In Substantial Conformity	
Rating	1	2X	3	4

Status of Training

New York is not in substantial conformity with the systemic factor of Training. The State was in substantial conformity with this systemic factor in its 2001 CF SR and therefore was not required to address this factor in its PIP. Specific findings for each item included in this systemic factor and the reasons for item ratings in the 2008 CF SR are presented below.

Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services

 Strength X Area Needing Improvement

Item 32 is rated as an ANI. A primary concern is that in New York, although caseworkers employed by the voluntary agencies have full case-management responsibilities for supervising children in foster care, they are not all receiving training comparable to that provided to public agency staff performing the same duties. In addition, new caseworkers at the voluntary agencies often carry caseloads before completing training. As noted in the Statewide Assessment, the State's title IV-E funding has been declining, and this restricts OCFS ability to meet the training needs of voluntary agency staff. The Statewide Assessment does not provide data regarding the percentage of caseworkers who complete initial training for either public or private agency caseworkers. This item was rated as a Strength in the State's 2001 CF SR.

Statewide Assessment Information

According to the Statewide Assessment, there are mandatory training requirements for CPS staff including satisfactory completion of the New York State-approved program for CPS caseworkers and supervisors and a requirement to meet all training and annual in-service training requirements. Training also is mandated for residential foster care and child care workers. As indicated in the Statewide Assessment, OCFS supports child welfare supervisors by providing two modules of supervisor training for new supervisors. These modules are designed to build knowledge and skills needed to coach, model, and monitor caseworkers. The Statewide Assessment reports that New York's Outcome Based Training system is a comprehensive package including practice demonstrations and multiple opportunities designed to build practice skills. It includes skills-based simulations, role playing, and on-the-job training.

The Statewide Assessment also notes, however, that although OCFS works directly with New York State's Council of Family and Child Caring Agencies to assess the training needs of caseworkers in voluntary agencies, "voluntary agency participation in core training is restricted due to several factors." These factors include insufficient funding, staff inability to participate in training given their caseload responsibilities, and the mandated training requirements for CPS that gives new CPS hires priority in securing a slot in

core training. The Statewide Assessment indicates that the State's title IV-E funding has been declining each year and this restricts OCFS ability to meet the training needs of voluntary agency staff.

The Statewide Assessment reports that in 2007, OCFS developed a Teaming Project Model Program and is delivering it in six pilot districts. The Teaming Model is adapted from an award-winning approach by the State of Massachusetts and restructures individual casework to teamwork. The Teaming Model supports the pilot districts in team building, facilitation skills, group supervision, and solution-focused practice. The annual training plan is developed with input from stakeholders and local districts and focuses on areas of practice identified as needing improvement. The Statewide Assessment also reports that in 2007, casework training was redesigned to combine the Initial Core training and the follow-up CPS specialty training into a package called Integrated Core. The Statewide Assessment notes that pilot delivery was expected to conclude in March 2008.

As indicated in the Statewide Assessment, stakeholders interviewed in preparation for the Statewide Assessment voiced a concern that the current training for new caseworkers lacks the opportunity to practice new skills. These stakeholders said that there is a need to develop a process to transfer learning strategies that can be supported by districts and agencies.

The Statewide Assessment reports that New York uses the Statewide Training and Registration System to identify training opportunities, collect attendance information, and collect standard evaluation results. However, the Statewide Assessment does not provide information regarding the number and percentage of caseworkers in both the public and voluntary agencies who receive the initial training and who complete training prior to carrying a caseload.

Stakeholder Interview Information

Although some stakeholders commenting on this item during the Onsite Review expressed the opinion that the core training program for new child welfare agency caseworkers in the local social services districts is comprehensive and effective, other stakeholders indicated that the training does not adequately prepare these caseworkers to handle the stresses of a full caseload. They suggested that the lack of adequate preparation results in a high turnover rate in the caseworker position. Several stakeholders also voiced concern that the core training does not address such critical areas as personal safety, domestic violence, how to diffuse conflict, when to request assistance from law enforcement, and how to work with substance abusing parents. In addition, a few stakeholders said that occasionally not enough training sessions are available to accommodate new staff, due in part to high turnover in the caseworker position.

Several New York City and Onondaga County stakeholders commented on the availability of training for caseworkers employed by the voluntary agencies who have full case-management responsibilities for the cases that they carry. Although Onondaga County stakeholders expressed the opinion that voluntary agency caseworkers are well trained, several New York City stakeholders said that

initial training of new private agency caseworkers may be delayed for 2 to 3 weeks, and that during that time, the caseworkers often carry cases. They also noted that the initial training provided by the voluntary agencies is a basic overview and does not have a sufficient focus on casework practice. New York City stakeholders reported that although in the past slots in the core training were available for private agency staff, because the need for public agency staff training had increased over the past 2 years, no slots are currently available for private agency staff.

According to stakeholders, private agencies have the option to provide their own internal initial training program. However, it was noted that caseworkers in voluntary agencies are not always able to attend initial training because of their caseload responsibilities. In addition, stakeholders noted that the number of training hours received by voluntary agency staff varies across the State.

Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP

Strength Area Needing Improvement

Item 33 is rated as an ANI. Although the State requires caseworkers to receive 6 hours of ongoing training annually, caseworkers in both the public agencies and voluntary agencies often cannot participate in ongoing training because of high caseloads and insufficient travel budgets. In addition, not all voluntary agency caseworkers appear to be receiving the mandated 6 hours of ongoing training. The Statewide Assessment does not provide data regarding the percentage of public or private agency caseworkers who receive the required hours of ongoing training. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the New York State Legislature appropriated \$5 million in each of the past State's two fiscal years to support implementation of the mandated annual CPS in-service and supervisory training. The State has created a multitude of ongoing training opportunities focusing on child safety, permanency, and well-being that are offered in various formats including regular classrooms, web-based trainings, conferences, workgroups, and written modules. The Statewide Assessment notes that the State has shaped its annual training plan to support the areas of practice identified as needing improvement through input from stakeholders.

However, the Statewide Assessment also reports that stakeholders interviewed as part of the Statewide Assessment process said that voluntary agency staff often do not access OCFS-sponsored training because they tend not to use the OCFS intranet, where training announcements are posted. The Statewide Assessment notes that OCFS has not developed techniques to better inform voluntary agency staff about available training and has not yet developed methods to assess the training needs of voluntary agency staff.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR reported that CPS caseworkers are mandated to obtain 6 hours of ongoing training each year. Most stakeholders expressed the opinion that there are many excellent offerings for ongoing training and several stakeholders praised the agency for being open to requests from stakeholders and CPS supervisors regarding new training topics or revisions to existing training. New York City stakeholders, in particular, praised the involvement of retired New York Police Department (NYPD) officers in providing ongoing training in topics such as personal safety, sexual abuse, domestic violence, and gang issues. They noted that this involvement has been helpful to caseworkers and supervisors. In addition, Rockland County stakeholders expressed the opinion that the cross-training opportunities in that county that incorporate staff from law enforcement, CPS, mental health, and the domestic violence shelter are outstanding.

Despite the array of training, several stakeholders commented that the participation of local social services district caseworkers in ongoing training can be difficult because of agency budget restrictions on travel and the time demands of high caseloads. Some stakeholders also noted that the State agency does not always make its ongoing training opportunities accessible to caseworkers in the voluntary agencies, although those caseworkers have the same case management responsibilities as the public agency caseworkers. Stakeholders also noted that, similar to public agency caseworkers, even when training opportunities are available to caseworkers in the voluntary agencies, the high caseloads of these caseworkers make it difficult for them to participate in trainings.

Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children

Strength **Area Needing Improvement**

Item 34 is rated as a Strength because all approved foster and adoptive parents, certified relative caregivers, and child care workers in residential facilities receive both initial and ongoing training that prepares them to meet the needs of the children in their care. In addition, stakeholders commenting on this item stated that the training is comprehensive, adequate, and extremely helpful. This item also was rated as a Strength in New York's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, local district and voluntary agency trainers deliver the Group Preparation and Selection/Model Approach to Partnerships in Parenting (GPS2/MAPP) program for foster and adoptive parent preparation and training. OCFS provides ongoing technical assistance and coaching to agency and district training staff to enable them to deliver this training.

The Statewide Assessment reports that OCFS provides training to districts and agencies to enable the accurate and comprehensive completion of the foster and adoptive home study. Home studies are a required component of the certification/approval process.

The Statewide Assessment also reports that the primary vehicle for in-service training is the COMPASS training curriculum, composed of a series of experiential trainings. Some offerings of COMPASS are available via iLinc, a synchronous or asynchronous distance learning technology that can be easily accessed online.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR noted that foster and adoptive parents are required to attend the 30-hour GPS2/MAPP training or a mini-MAPP training as their initial training. In addition, individual MAPP training is available in Rockland County.

Stakeholders noted that the training is available online, which they believe is an especially valuable method for families unable to attend the regular training sessions. According to stakeholders, an emergency placement can be made prior to completion of training if a local background check is done, and the family can fulfill all other requirements within 90 days. Otherwise, training must be completed before a child is placed in the home. Stakeholders indicated that relatives are not required to attend the GPS2/MAPP training as a condition of placement of a child in the home, but they may take the training after children have been placed with them. Stakeholders reported that foster and adoptive parents have positive perceptions of the training and that they experience little delay in accessing classes.

With regard to ongoing training, stakeholders indicated that the requirements vary according to the type of certification. For example, foster parents that are certified as “basic homes” are required to have 8 hours of ongoing training each year, exceptional needs certification requires 18 hours a year, and special needs certification requires 12 hours a year. Stakeholders said that a list of ongoing training opportunities is available, and that the training requirement also can be met by attending support groups or annual conferences.

V. SERVICE ARRAY

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		In Substantial Conformity	
		1	2X	3

Status of Service Array

New York is not in substantial conformity with the systemic factor of Service Array. The State was not in substantial conformity with this factor in its 2001 CFSR and was required to address the factor in its PIP.

Key Concerns From the 2001 CFSR

The 2001 CFSR identified the following key concerns with regard to Service Array:

- Lack of housing for youth and emergency placements for youth who voluntarily leave foster care
- Lack of critical services for clients with substance abuse, sexual abuse, or mental health concerns
- Lack of therapeutic foster homes
- Lack of adequate placement resources for older adolescents, large sibling groups, and children with special needs
- Lack of aftercare services, particularly post-adoption services
- Insufficient number of dentists who accept Medicaid
- Lack of child psychiatric and psychological services

To address these concerns, the State implemented the following strategies in its PIP:

- Participated in the management structure of the CCSI, which advocates for meeting service needs of children in the child welfare system by addressing gaps in services
- Enhanced accessibility of services by establishing a new child welfare financing system that would provide an increased share of State funds for an array of non-foster care services through the agency's participation in the Integrated County Planning project

The State achieved its goals for this systemic factor during its PIP implementation period.

Key Findings of the 2008 CFSR

Specific findings for each item included in this systemic factor and the reasons for item ratings in the 2008 CFSR are presented below.

Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency

Strength X Area Needing Improvement

Item 35 is rated as an ANI. Although New York State has many services for children in foster care and for children who remain in their homes, the Statewide Assessment and stakeholder interviews identified a lack of some critical services, particularly mental health, substance abuse, and post-adoption services. Stakeholders noted that the lack of these services can contribute to delays in moving children to permanency. This item also was rated as an ANI in New York’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, State regulations specify the array of preventive services that every local district must have available to prevent placement of children in foster care or to accelerate the child’s return. The Statewide Assessment notes that each local district must provide, either directly or by purchase of service, the following seven core services: day care, homemaker services, parent training or parent aide services, transportation, clinical services, respite care, services for families to relieve stress when a family member has an HIV-related illness, and 24-hour access to emergency services. New York also provides housing subsidies for up to 3 years to prevent placement in or to facilitate discharge from foster care. In addition, as indicated in the Statewide Assessment, the State has continued its cross-systems planning, training, and technical assistance efforts to support the ability of communities to plan, coordinate, and make accessible the services needed to meet community needs, including the mental health needs of children.

The Statewide Assessment also notes, however, that recruitment and retention of placement resources continues to be a factor in locating families for children who are legally free for adoption and that a specific barrier to identifying an adoptive resource for children is the lack of post-adoption services to support adoptive families after finalization.

The Statewide Assessment reports that New York provides uncapped funding for preventive services by providing 65 percent of funding for every 35 percent of local dollars spent on preventive services. As indicated in the Statewide Assessment, this uncapped funding has allowed communities to develop wraparound prevention services that result in fewer entries into foster care.

Stakeholder Interview Information

Stakeholders commenting on Service Array during the onsite CFSR expressed different opinions. Several stakeholders praised the Service Array, particularly with respect to services for children remaining in their homes. Some stakeholders suggested that although there may be fewer services in some rural counties, overall the array of services is substantive. A few stakeholders commented that OCFS makes concerted efforts to ensure that child welfare clients receive needed services from other agencies and that most children in the child welfare system receive the services they need.

However, other stakeholders, particularly those in New York City and Onondaga County, noted that permanency for children in foster care often is delayed because of a lack of services to meet the needs of children and families, particularly mental health and substance abuse services. Other stakeholders in these sites expressed the opinion that there are insufficient services geared toward adolescents, and many stakeholders indicated that there is a lack of post-adoption services.

Various stakeholders commenting on this item during the onsite CFSR gave examples of efforts to enhance the Service Array. These included the following:

- The Bridges to Health Program is a home- and community-based Medicaid waiver program that provides expanded and enhanced services for foster children with disabilities.
- The co-location of domestic violence and/or substance abuse providers with CPS staff supports efforts to address the problems of substance abuse and domestic violence in all CPS cases. Co-location of substance abuse counselors with CPS staff is now in 12 counties.
- The State’s implementation of Family Treatment Courts in every jurisdiction helps promote timely reunification of families that have substance abuse issues.
- The Family Treatment Center is a program that provides 15-day respite care for children while their parents address family problems.

Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State’s CFSP

Strength Area Needing Improvement

Item 36 is rated an ANI. As noted in the Statewide Assessment and stakeholder interviews, although New York has many services available, they are not readily accessible to families and children in all jurisdictions of the State. Because of the limited number of services, there often are long waiting lists for services and/or long distances for clients to travel in order to receive critical services, particularly mental health services. The lack of accessibility of services was noted to be particularly problematic in the State’s 44 rural counties, but also was raised as a concern in New York City. This item also was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York contracts with local districts to provide, arrange for, and coordinate appropriate services for clients, expected to be served in their own district whenever possible. However, the State reports that availability and accessibility of services are problematic in some places. For example, in some areas there is a need for increased availability of after-hours services for working parents and foster parents; in large urban areas there is a need for safe and affordable housing; and in many areas there is a need for after-care services, mental health services, Medicaid providers, and respite and crisis-intervention support.

The Statewide Assessment also reports that the State has insufficient post-adoption and after-care services. It was noted that although some post-adoption programs are funded through the Temporary Assistance to Needy Families (TANF) programs, funds from TANF can be used only for TANF-eligible families. The Statewide Assessment indicates that although districts can fund post-adoption services through preventive services funding using the 65/35 State match, many districts report insufficient local funds to meet the need for post-adoption services.

In addition, the Statewide Assessment notes that adoptive and foster parents report that it is difficult to find mental health services for children, and in some districts, it is difficult to find providers who accept Medicaid. Adoptive and foster parents also report difficulty in finding after-hours resources and respite and support for crisis intervention.

Stakeholder Interview Information

Most stakeholders interviewed regarding this item during the CFSR expressed the opinion that accessibility of services is a problem in most areas of the State. New York City stakeholders said that in that location, there are long waiting lists for mental health services, including mental health evaluations and assessments, and that there is a lack of housing and shelter services, immigrant services, language translators, and programs for clients with dual diagnoses pertaining to substance abuse and mental health. Many of these New York City stakeholders also said that it is difficult to access parenting services for parents of children with special needs, anger management services, and services for adolescents. However, a few New York City stakeholders suggested that most services are available but that caseworkers do not have adequate knowledge about the services available for their clients and therefore are not linking the clients to the services. This was attributed to the high rate of turnover in the caseworker position.

Both Onondaga County and Rockland County stakeholders indicated that mental health services are lacking in their communities, particularly inpatient treatment, services for juvenile sex offenders, and psychiatric services for children. Stakeholders in these counties also noted that there is a need for post-adoption services, respite services for foster families caring for children with extensive needs, transportation services, and affordable child care.

Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency

Strength **Area Needing Improvement**

Item 37 is rated as a Strength because New York has implemented many programs and initiatives statewide to ensure that services can be individualized to meet the unique needs of children and families served by the agency.

Statewide Assessment Information

According to the Statewide Assessment, The State provides a 65/35 match to counties to individualize services to families and children receiving preventive or child welfare services. Although State regulations specify the seven core services that must be provided, the county can individualize these services to meet the needs of the local population.

The Statewide Assessment reports that New York improved its case planning and SPR processes to better support the provision of appropriate and individualized services. This included making modifications to the FASP in the CONNECTIONS application. As indicated in the Statewide Assessment, the newly developed FASP in the application provides for documentation of the services needed and a support tool to guide decision-making in arriving at the safety, risk, family assessment, child assessment, needs, and goals for achieving the goals specified in the child's permanency plan.

The Statewide Assessment identifies the following as examples of efforts and programs that support individualization of services:

- The use of FES to support caseworkers in implementing concurrent planning, engaging families in the development of the service plan, improving the quantity and quality of family visitation, and locating and engaging absent fathers and their families
- New York City's IOC initiative, which allows ACS to monitor the quality of voluntary agency service provision to children and families, and provide technical assistance teams to troubleshoot specific cases and provide training and consultation regarding challenging areas of practice
- The 171 Family Treatment Courts, operational in most counties, that serve clients with child neglect allegations who also have substance abuse issues
- The New York State Kinship Caregiver Program and Kinship Navigator Program, a statewide network of 14 programs that assists kinship caregivers in finding and accessing resources such as counseling, respite care, case management, legal information, housing assistance, parenting skills, and caregiver support groups
- The Healthy Families New York Home Visiting Program, which operates 39 programs serving 41 high-need areas by providing home visitation to support high-risk families with young children or families expecting babies

Additional examples of services individualized to meet the needs of clients are in the Statewide Assessment.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that the agency generally is effective in individualizing services to meet the needs of children and families and noted that individualization of services is a requirement of the FASP. Stakeholders also noted that flexible funding is available to ensure that unique service needs can be addressed. Various stakeholders cited the following practices, programs, and initiatives as effective in individualizing services to meet the service needs of clients:

- Co-location of child welfare and domestic violence experts and collocation of child welfare and substance abuse service providers in the same offices
- Multidisciplinary assessment and one-stop service provision programs such as Bridges to Health
- Family Treatment Courts (or Drug Courts) for families with both child welfare and substance abuse concerns
- New York City’s home-based crisis intervention program that serves children at risk for hospitalization or who have been hospitalized by providing 6 weeks of outpatient treatment and ongoing support
- New York City’s Parent-to-Parent meetings that ensure individualization of services for each child to be placed in a new home
- Development of two curricula that will ensure that parent training is individualized to meet parents’ needs
- Collaboration in Rockland County among its agencies to establish connected services that better address children’s needs

Onondaga County stakeholders noted that although the agency is generally able to individualize services for families, it still struggles with meeting the needs of older youth with no discharge resource or who are likely to transition to a group home setting for the developmentally disabled.

VI. AGENCY RESPONSIVENESS TO THE COMMUNITY

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		In Substantial Conformity	
	1	2	3	4X

Status of Agency Responsiveness to the Community

New York is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. New York also was in substantial conformity with this systemic factor in its 2001 CFSR and was not required to address the factor in its PIP. Specific findings of the 2008 CFSR for each item included in this systemic factor are presented below.

Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with Tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP

 X Strength Area Needing Improvement

Item 38 is rated as strength because New York engages key external stakeholders in ongoing consultation regarding the goals and objectives of the CFSP. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, each social services district in New York holds a public hearing to solicit input on the CFSP, and ROs interact on a routine basis with local districts and voluntary agencies to obtain their input regarding the CFSP. The Statewide Assessment also notes that the Native American Services Unit solicits input from the Tribes.

The Statewide Assessment notes, however, that there is a need for improvement in capturing the input of birth families in the development of policy and practice. As indicated in the Statewide Assessment, New York City has established parent groups to obtain birth family input, but this initiative has not been implemented statewide.

Stakeholder Interview Information

Several stakeholders commenting on this item during the onsite CFSR expressed the opinion that OCFS engages in ongoing consultation with all relevant stakeholders and includes their major concerns in the goals and objectives of the CFSP. Stakeholders identified the following advisory groups as those that are consulted for input regarding the goals and objectives of the CFSP: the Bridges to Health planning committee, CCSI, Children’s Cabinet, Tribes and Tribal consultant meetings, ongoing workgroups with the court system and the chief judge of the New York State court system, and Integrated County Planning workgroups, which prepare plans with other stakeholders and present them to the public in focus groups to solicit input from community providers. In some communities there also are village “roundtables” in which a variety of people come together and provide input for the CFSP.

Item 39. The agency develops, in consultation with these representatives, Annual Progress and Service Reports delivered pursuant to the CFSP

Strength **Area Needing Improvement**

Item 39 is rated as Strength because New York continuously engages external stakeholders in developing Annual Progress and Services Reports (APSRs). This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment

According to the Statewide Assessment, OCFS submits a Federally-required APSR. As part of the reporting process, stakeholders are invited to participate in a focus group to discuss the progress, strengths, and needs of the child welfare system. The input from stakeholders is captured in the report.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that the State regularly seeks consultation from partners in developing the APSR and that OCFS is responsive to the recommendations offered by local stakeholders and includes them in its APSR.

Item 40. The State's services under the CFSP are coordinated with services or benefits of other Federal or Federally-assisted programs serving the same population

Strength **Area Needing Improvement**

Item 40 is rated as a Strength because the State's services under the CFSP are coordinated with services or benefits of other Federal or Federally-assisted programs that serve the same population. This item also was rated as a Strength in New York's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, OCFS continuously works with other agencies, both State and Federal, to ensure that services to children and families are coordinated across agencies to ensure effective service delivery. Protocols have been established between local offices and State agencies as well as between OCFS and other State and Federal programs and agencies.

The Statewide Assessment provides the following examples of coordination between the child welfare agencies and other Federal or Federally-funded programs and agencies.

- A workgroup comprising staff from OCFS and the Office of Temporary and Disability Assistance addresses issues related to child care and child support, TANF caseloads, limited English proficiency services, adult protective services, and fatherhood initiatives.
- A workgroup comprising staff from the Office of Alcohol and Substance Abuse Services and OCFS coordinates access to drug and alcohol treatment services.
- The Bridges to Health program involving OCFS and three sister agencies provides a cross-systems approach for health-care integration services for children with serious emotional disturbances, developmental disabilities, and medical fragility.
- The Statewide Permanency Planning Team, composed of staff from OCFS and OCA and includes family court and administrative judges, parents' attorneys, and law guardians improves outcomes for children through improved communication, relationship building, and cooperation among the agencies and courts that serve child welfare clients.
- Multi-Disciplinary Teams/Child Advocacy Centers facilitate a nonintrusive investigative process that incorporates child welfare, medical, and law enforcement personnel involved in an investigation of physical abuse, sexual abuse, and other forms of violence directed at children.

- CCSI is a multiagency initiative intended to reduce systemic barriers to service provision for children and families who need services from multiple systems such as child welfare, mental health, and developmental disabilities.

Stakeholder Interview Information

Most stakeholders commenting on this item expressed the opinion that OCFS works with other Federal and Federally-funded programs to build an integrated system for supporting children and families. Various stakeholders identified the following examples of service coordination efforts:

- In New York City, the child welfare agency coordinates with the Department of Education so that caseworkers have access to the city’s education department database to track enrollment, attendance, and other education-related information for foster children.
- In nine districts in the State, a demonstration project, the Child Welfare and Substance Abuse co-location project, was designed to increase coordination of child welfare and substance abuse services by co-locating child welfare caseworkers and substance abuse staff. The model emphasizes early identification of chemical dependency problems in CPS cases, facilitates access to treatment and prevention services, and links the family with support services.
- In Onondaga County, the Enhance program provides children in foster care with 24-hour medical care from SUNY Downstate Medical Center students.

A few stakeholders noted, however, that with the exception of New York City, there is a need statewide for better coordination of services between OCFS and the Department of Education.

VII. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		In Substantial Conformity	
		1	2X	3

Status of Foster and Adoptive Parent Licensing, Recruitment, and Retention

New York is not in substantial conformity with this systemic factor. The State was in substantial conformity with this factor in its 2001 CFSR and therefore was not required to address the factor in its PIP.

Item 41. The State has implemented standards for foster family homes and child care institutions which are reasonably in accord with recommended national standards

Strength Area Needing Improvement

Item 41 is rated as an ANI. Although the State has established and implemented standards for licensing foster family homes and child care institutions, both the Statewide Assessment and stakeholders interviewed during the onsite CFSR indicate that the standards are not clear and as a result, they are interpreted and implemented differently in different areas of the State. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York has established regulations regarding licensing standards for foster boarding homes, adoptive homes, and congregate care facilities. The local district, voluntary agency, or adoption agency is responsible for completing the work necessary to license foster and adoptive homes, while an OCFS RO staff member is responsible for completing the work necessary to license congregate care facilities. According to the Statewide Assessment, certificates or approval letters for foster boarding homes and licenses and operating certificates for congregate facilities are issued after compliance with all requirements. Relative foster homes are approved rather than certified, but the standards are consistent. The Statewide Assessment notes that separate regulations exist for adoption approvals.

The Statewide Assessment reports that stakeholders participating in focus groups convened by the State identified the following concerns about the regulations and standards:

- The current regulations are too vague and need to be updated in order to decrease subjectivity in the decision to approve a foster home.
- There are differences in practice across districts with regard to the implementation of standards.
- Foster parents and caseworkers need training to better understand the standards in order to enhance a local district's ability to assess eligibility for foster home approval.

The Statewide Assessment identifies the New York City model training program as a best practice in implementing consistent standards. This program provides ongoing training directed at home finders through a quarterly home finders directors meeting. The quarterly meetings are used to discuss updates to regulations or issues, and serve to drive consistency in interpretation of standards.

Stakeholder Interview Information

Although some stakeholders commenting on this item indicated that the agency has developed and implemented licensing standards for foster family homes and child care institutions, other stakeholders indicated that the standards are not being implemented consistently across the State. It was noted, however, that when inconsistent implementation is brought to the attention of the State office, the State is quick to remedy the problem. Stakeholders expressed the opinion that inconsistencies are due primarily to variations in interpretation of the standards and that the standards need to be clarified to prevent the different interpretations.

Item 42. The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds

 X Strength Area Needing Improvement

Item 42 is rated as a Strength because New York requires that standards are applied equally across the State and to all foster family and child care institutions that receive title IV-E or title IV-B funds. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment

According to the Statewide Assessment, New York regulations provide that local district staff, and authorized voluntary agencies may not finally certify or approve foster and adoptive homes until all regulatory requirements have been met. The same standards are used for certified homes (non-relative) and approved homes (relative foster boarding homes). New York has a process for emergency certification or approval of foster homes in limited circumstances where the home needs to meet only some of the requirements.

The Statewide Assessment reports that although OCFS requires that standards are applied equally throughout the State, monitoring of specific cases sometimes presents a challenge. There is a Voluntary Agency Review process conducted by OCFS that monitors the policies and practices of all voluntary agencies on a regular basis. OCFS staff in each of the six ROs are responsible for investigations of allegations of abuse or neglect in residential care.

Stakeholder Interview Information

A few stakeholders commenting on this item expressed the opinion that the standards are applied to all foster family and child care institutions that receive title IV-E or IV-B funds.

Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children

Strength **Area Needing Improvement**

Item 43 is rated a Strength because the State has a process in place for completing criminal background clearances. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York regulations for criminal background checks exceed current Federal standards, as they require that any person over the age of 18 residing in the home of prospective foster or adoptive parents submit to a criminal history record check in New York and with the FBI. The fingerprints are placed on “search and retain” to enable notification of any future arrest as long as the foster home remains open or until the adoption is finalized. Prospective foster or adoptive home applicants and adult household member also must be cleared against the Statewide Central Register for Child Abuse and Maltreatment in New York and in any other State they have lived in the previous 5 years. The Statewide Assessment notes that New York requires a cleared Central Registry check and a completed fingerprint card as part of the application process. Safety assessments are required by regulation whenever a criminal history is identified.

Stakeholder Interview Information

Several stakeholders interviewed during the onsite CFSR stated that OCFS has stringent background check requirements and carefully monitors agency compliance with the requirements. Several stakeholders noted, however, that fingerprint results often are returned because of poor quality of the print, and this causes extensive delays in obtaining the results.

Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflects the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed

Strength **Area Needing Improvement**

Item 44 is rated as an ANI. Although the State requires that each local area and voluntary agency must have a comprehensive recruitment plan for foster and adoptive families, this plan often does not target recruitment specifically to meet the ethnic and racial diversity of the children in foster care. In addition, the State has no procedure in place for evaluating the plan with regard to targeted recruitment efforts and outcomes. This item also was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York requires that local district and voluntary agencies have a comprehensive recruitment plan that establishes a pool of foster and adoptive families that reflects the racial and ethnic diversity of the children in

foster care. The plan is monitored by adoption specialists in OCFS ROs who also provide technical assistance on the Multiethnic Placement Act of 1994. The Statewide Assessment notes that in some regions, there is an initiative to develop foster parents as recruiters of other foster parents. The State also uses the Heart Gallery as a child-specific tool to recruit adoptive parents.

Despite concerted efforts on the part of the State, the following barriers to recruitment were noted in the Statewide Assessment:

- There are insufficient financial resources and service supports for foster parents, which deters some prospective families from the application process.
- There are limited resources for agencies to recruit, retain, and support foster and adoptive parents.
- The State does not track outcome data related to recruitment efforts, particularly with regard to the number and characteristics of the foster parents and adoptive parents who have been recruited.
- There are insufficient funds to provide post-adoption services to support foster parents adopting the children in their care.

Stakeholder Interview Information

Some stakeholders commenting on this item during the onsite CFSR indicated that most of the recruitment activities take place at local levels. Stakeholders said that there are a variety of recruitment activities including presentations at Youth Fests, job fairs, faith-based events, and community events. Stakeholders also noted that recruitment is done using media advertisements created for websites, radio, newspaper, and business ads. The agency also uses the Heart Gallery to find homes for older youth.

For the most part, stakeholders indicated that recruitment itself is not a problem and that the foster parent training classes are always full. However, some stakeholders expressed the opinion that targeted recruitment to specific groups is not occurring on a consistent basis, and when efforts are made to target specific types of homes, these efforts are not evaluated so it is difficult to know if they were successful. Stakeholders suggested that a more statewide approach to recruitment is needed rather than just relying on local offices and voluntary agencies to do recruitment.

Onondaga County stakeholders indicated that in that county, more foster homes are needed for adolescents and Native American and Hispanic children, and more therapeutic foster homes are needed. In comparison, Rockland County stakeholders indicated that in that county, available foster homes reflect the racial and ethnic diversity of the foster care population. Stakeholders in that county also indicated that they conduct specific recruitment for foster homes for adolescents.

Several stakeholders said that in most areas of the State, agencies recruit and train prospective parents for both foster care and adoption. They noted that, as a result, there is a high rate of foster parents adopting their former foster children, and this sometimes results in a loss of families as foster parent resources.

Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children

Strength **Area Needing Improvement**

Item 45 is rated as a Strength because the State has a process in place and standards for cross-jurisdictional placements and actively uses the Interstate Compact for Placement of Children (ICPC). This item also was rated as a Strength in the 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, New York has policies and an administrative directive to local districts that reinforce the ASFA requirements that authorized agencies may not delay or deny placement of a child freed for adoption with an approved adoptive parent on the basis that the approved adoptive parent resides in a State or county different from the agency with jurisdiction of the child. OCFS ROs monitor voluntary agencies by reading samples of cases of children waiting for adoption and by evaluating whether the agencies are implementing Comprehensive Recruitment Plans.

In evaluating out-of-State placements, the Statewide Assessment cites the New York 2006 Title IV-E Report and a 2006 Maximus title IV-E report. Both reports indicate that New York has experienced difficulty in acquiring relative, foster, and adoptive home studies and documentation from other States despite using the ICPC.

The Statewide Assessment also notes that OCFS uses the Heart Gallery to recruit homes from other States and allows the use of non-recurring adoption reimbursement for out-of-State visitation, which allows caseworkers to cast a wider net for potential adoptive homes.

Stakeholder Interview Information

Several stakeholders commenting on this item during the onsite CFSR expressed the opinion that children are placed in adoptive homes across jurisdictions. Rockland County meets regularly with five counties in order to conduct an adoption exchange. They noted that adoptive resources in other counties or States are used by the State, along with activities such as the Heart Gallery and adoption lists. Most stakeholders agreed that the ICPC presents a barrier in the use of cross-jurisdictional resources for permanent placements because it slows the process considerably.