

June 13, 2018

## **Response to APNRM for Adoption and Foster Care Analysis and Reporting System**

RIN: 0970-AC72

To provide an informed comment to the proposed additions to the AFCARS data collection, the Illinois Department of Children and Family Services (DCFS) convened staff representing the Bureau of Operations Division (including the sub-units of Child Protection, Intact Families, Placement, and Professional Development/Training), the Clinical Unit, Information Technology, Office of Policy, the Medical Liaison from Health Policy, Quality Assurance and the DCFS Indian Child Welfare Administration Liaison to review each element of the proposed additions to the AFCARS data collection.

Three criteria were utilized in assessing and categorizing each element: (1) the data element is currently collected and with a minor amount of effort and cost could be included in AFCARS reporting, (2) the data element is not currently collected, but the State is willing to study and consider making changes for the information to be included in data collection (3) the data element is not currently collected and the State objects to a requirement for collecting the data element due to the burdensome cost, both financially and in staff resources.

After a review of the proposed additions to the AFCARS data collection, Illinois has determined that there are sixty-seven (67) Non-ICWA related data elements and fifty-nine (59) ICWA related data elements that are not currently collected in Illinois DCFS databases and will require varying degrees of modification to implement the proposed additions. The assessment of each element is included in the table with the effort and expense noted as minor, moderate and major,

Illinois DCFS acknowledges that the proposed data elements pertaining to gender identity, sexual orientation and gender expression will require a change to DCFS policy, training, data collection, and reporting but is willing to further study and consider making this addition; even in the absence of these elements becoming an AFCARS requirement.

Where Non-ICWA related data elements appear to be minor changes/additions to current Policy/Procedure/Rules and data systems, the State does not oppose making changes, however, as seen in the Table below, the majority of data items will require a significant amount of staff resource to design, develop and implement these additions to Policy/Procedures/Rule and data systems. Each element was discussed and assessed as to whether the value of the added data element would likely improve casework, add deeper understanding to a problem and contribute to improved service and outcomes. The value was then weighed against whether it was deemed a minor, moderate or major burden to change the existing system of data collection and reporting. In further discussion related to cost versus benefit of adding each

element to current data collection and reporting, the State opposes the majority of the proposed additions as being too costly and burdensome to implement without justification as to benefit.

The majority of the ICWA related data elements are not captured in the Illinois DCFS databases. DCFS does have a paper process that captures many of the ICWA related elements and is working with Cook County (Chicago) Courts to begin incorporating the information into their data systems, which feeds into DCFS' legal database. However, implementing these changes on a statewide basis will be a costly, time consuming and intense resource effort.

Additionally, any of the proposed AFCARS related data elements that are not currently captured in a case record will need to go through a design, development and implementation process to be added to Policy/Procedure/Rules and database systems. Staff training and the time and cost to locate and enter information on existing cases is prohibitive in relation to the actual benefit from the information added. Illinois DCFS agrees that identifying children with Native American Heritage is critical to casework and delivery of service, but questions whether the proposed data element additions improves the identification, service availability and resource recruitment for this population of children and families. For the current state fiscal year, Illinois has identified 49 youth that have a tribal relationship based on tribal verification. Illinois feels that the amount of limited resources needed to implement the proposed additions to AFCARS outweighs the benefit that will be seen at the state level.

	Data is available in paper files, and with changes to systems, may be added to existing information system(s).	Data is not currently collected but Illinois is willing to further study and consider making changes for this data element to be collected	Data is not currently collected and the State objects due to the major burden of cost--both financially and to staff resources
<b>Non-ICWA data elements not currently captured</b>			
<b>(b) Child information</b>			
7. (b.2.ii) Child's sexual orientation		Moderate	
58. (b.16.iii) Residential facility			Major
59. (b.16.iv) Services/programs			Major
60. (b.16.v) Child request			Major
61. (b.16.vi) Parent/Legal Guardian request			Major
62. (b.16.vii) Other			Major
66. (b.18) Special education			Major
68. (b.19.i) Prior adoption date			Major
69. (b.19.ii) Prior adoption type - intercountry			Major
70. Prior Guardianship (b.20i)			Major

71. (b.20.ii) Prior guardianship date			Major
87. (b.23) Total Number of siblings	Moderate		
88. (b.24) Siblings in foster care	Moderate		
89. (b.25) Siblings in living arrangement	Moderate		
<b>(c) Parent or legal guardian information</b>			
94. (c.5) Termination/modification of parental rights.		Minor	
95. (c.5.i) Termination/modification of parental rights petition		Minor	
<b>(d) Removal Information</b>			
106. (d.4) Environment at removal			Major
<b>(d)(6) Child and family circumstances at removal</b>			
115. (d.6.viii) Domestic violence		Major	
125. (d.6.xviii) Inadequate access to mental health services		Major	
126. (d.6.xix) Inadequate access to medical services		Major	
134. (d.6.xxvii) Child requested placement		Minor	
135. (d.6.xxviii) Sex trafficking		Minor	
136. (d.6.xxix) Parental immigration detainment or deportation	Moderate		
137. (d.6.xxx) Family conflict related to child's sexual orientation, gender identity, or gender expression.		Major	
138. (d.6.xxxi) Educational Neglect			Not tracked
139. (d.6.xxxii) Public agency title IV-E agreement	Moderate		
140. (d.6.xxxiii) Tribal title IV-E agreement	Moderate		
142. (d.7) Victim of sex trafficking prior to entering foster care			Major
143. (d.7.i) Report to Law Enforcement			Major

144. (d.7.ii) Dates of each report			Major
145. (d.8) Victim of sex trafficking while in foster care		Minor	
146. (d.8.i) Report to law enforcement			Major
147. (d.8.ii) Date			Major
<b>(e) Living arrangement and provider information.</b>			
173. (e.13) Child's relationships to the foster parent(s).		Minor	
185. (e.19) First foster parent sexual orientation.		Minor	
197. (e.25) Second foster parent sexual orientation		Minor	
<b>(f) Permanency planning</b>			
202 (f.5) Juvenile justice		Moderate	
205 Transition plan.	Minor		
206 Date of transition plan	Minor		
207 - 219 (f.10) Active Efforts.			Major
<b>(g) General exit information</b>			
223. (g.4) Transfer to another agency			Major
<b>(h) Exit to adoption and guardianship</b>			
244. (h.8) First adoptive parent or legal guardian sexual orientation.		Minor	
256. (h.14) Second adoptive parent, guardian, or other member of the couple sexual orientation.		Minor	
258. (h.16) Interjurisdictional adoption or guardianship jurisdiction		Minor	
261. (h.19) Siblings in adoptive or guardianship home.		Moderate	
<b>Adoption and Guardianship Assistance Data Elem</b>			
11. Agreement termination date	Minor		
ICWA Related Data Elements			
<b>(b) Child information</b>			

8. (b.3) Reasons to know a child is and "Indian Child" as defined in the Indian Child Welfare Act.	Major		
15 - 17. (b.4) Application of ICWA.	Major		
18 – 20. (b.5) Court determination that ICWA applies	Major		
21 – 23. (b.6) Notification - ICWA	Major		
24. (b.7) Request to transfer to tribal court - ICWA	Major		
25 - 28. (b.8) Denial of transfer - ICWA	Major		
76. (b.21.iv) State/Tribal adoption assistance	Major		
77. (b.21.v) State/Tribal foster care	Major		
<b>(c) Parent or legal guardian information</b>			
92. (c.3) Tribal membership mother		Minor	
93. (c.4) Tribal membership father		Minor	
97 - 99 Involuntary termination/modification of parental rights under ICWA	Major		
100. Voluntary termination/modification of parental rights under ICWA	Major		
<b>(d) Removal Information</b>			
103 -105 Removals under ICWA.	Major		
<b>(e) Living arrangement and provider information.</b>			
160 -164 (e.8) Available ICWA foster care and pre-adoptive placement preferences: a member of the Indian child's extended family			Major
165. (e.9) Foster care and pre-adoptive placement preferences under ICWA.			Major
166. (e.10) Good cause under ICWA.			Major
167 -171. (e.11) Basis for good cause.			Major
175. (e.15) First foster parent tribal membership.		Minor	
187. (e21) Second foster parent tribal		Minor	

membership.			
<b>(h) Exit to adoption and guardianship</b>			
234. (h.4) First adoptive parent or guardian tribal membership.		Minor	
246. (h.10) Second adoptive parent, guardian, or other member of the couple tribal membership.		Minor	
262 - 265. (h.20) Available ICWA Adoptive placements.			Major
266. (h.21) Adoption placement preferences under ICWA.			Major
267. (h.22) Good cause under ICWA.			Major
268 – 272. (h.23) Basis for good cause.			Major