

EXECUTIVE SUMMARY
Final Report: South Dakota Child and Family Services Review
April 2009

INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the State of South Dakota. 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 (ACF) within HHS.

The South Dakota CFSR was conducted the week of May 19, 2008. The period under review for the onsite case reviews was from April 1, 2007, to May 23, 2008. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the South Dakota Department of Social Services (DSS), Division of Child Protection Services
- 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 data period ending March 31, 2007
- Reviews of 65 cases (40 foster care and 25 in-home services) at three sites throughout the State, including 33 cases in Minnehaha County, 15 cases in Yankton County, and 17 cases in Pennington County, all of which were open child welfare 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 and adoptive parents, all levels of child welfare agency personnel, collaborating agency personnel, service providers, court personnel, child advocates, Tribal representatives, and attorneys

Background Information

The CFSR assesses State performance on 23 items relevant to seven outcomes and 22 items pertaining to seven systemic factors. In the first section of the report (Section A: Outcomes), an overall rating of Strength or Area Needing Improvement (ANI) is assigned to each of the 23 items incorporated in the seven outcomes, depending on the percentage of cases that receive a Strength rating in the onsite case review. An item is assigned an overall rating of Strength if 90 percent of the applicable cases reviewed are rated as a Strength. Performance ratings for each of the seven outcomes are based on item ratings for each case. A State may be rated as having Substantially Achieved, Partially Achieved, or Not Achieved the outcome. The determination of whether a State is in substantial conformity with a particular outcome is based on the percentage of cases that were determined to have Substantially Achieved that

outcome. In order 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.

In the second section (Section B: Systemic Factors) 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. Information relevant to each item comes from the Statewide Assessment and the stakeholder interviews conducted during the week of the onsite CFSR. The overall rating for each systemic factor is based on the ratings for the individual items incorporated in that systemic factor. For any given systemic factor, a State is rated as being either in substantial conformity with that factor (receiving a score of 3 or 4) or not in substantial conformity with that factor (receiving a score of 1 or 2).

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 the areas of concern associated with that outcome or systemic factor.

ACF has set very high standards of performance for the CFSR. The standards are based on the belief that because child welfare agencies work with our country's most vulnerable children and families, only the highest standards of performance should be acceptable. 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.

It should be noted, however, that States are not required to attain the 95-percent standard established for the CFSR Onsite Review at 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 are time-consuming to implement, and improvements are likely to be incremental rather than dramatic. Instead, States work with CB to establish a specified amount of improvement or implement specified activities for their PIP. That is, for each outcome or item addressed in the PIP, a State (working in conjunction with CB) specifies how much improvement the State will demonstrate and/or the activities that it will implement to address the ANIs and determines 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 90-percent (for items) level as required by the CFSR.

The second round of the CFSR assesses a State's current level of functioning with regard to achieving desired child and family outcomes by once more applying high standards and a consistent, comprehensive case review methodology. The second round of the CFSR is intended to serve as a basis for continued planning in areas in which the State still needs to improve. The goal of the second round of the CFSR is to ensure that program improvement is an ongoing process and does not end with the closing of the PIP.

Because many changes have been made in the onsite 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 percentages.

Key changes in the CFSR 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

The specific findings with regard to the State's performance on the safety and permanency outcomes are presented in table 1 at the end of the Executive Summary. Findings regarding well-being outcomes are presented in table 2. Table 3 presents the State's performance with regard to the seven systemic factors assessed through the CFSR.

Key CFSR Findings Regarding Outcomes

The 2008 CFSR identified several areas of high performance in South Dakota with regard to achieving desired outcomes for children. South Dakota achieved substantial conformity with Well-Being Outcome 2 pertaining to meeting the educational needs of children. In addition, the State achieved overall ratings of Strength for nine individual items: timeliness of investigation (item 1); risk of harm (item 4); foster care reentry (item 5); reunification, guardianship, or placement with relatives (item 8); placing children in close proximity to their parents (item 11); placing children with siblings (item 12); preserving connections (item 14); educational needs of the child (item 21); and physical health needs of the child (item 22).

For the CFSR 12-month data period ending March 31, 2007, South Dakota met the national standard for the safety data indicators pertaining to the absence of maltreatment recurrence and the absence of maltreatment in foster care. The State also met the national standard for the permanency data composite pertaining to the timeliness and permanency of reunification (Permanency Composite 1). The State did not meet the national standard for the permanency data indicators pertaining to timeliness of adoptions (Permanency Composite 2), permanency for children in foster care for extended periods of time (Permanency Composite 3), and placement stability (Permanency Composite 4).

The CFSR also identified key areas of concern with regard to achieving outcomes for children and families. South Dakota is not operating in substantial conformity with regard to six of the seven outcomes. Permanency Outcome 1 (Children have permanency and stability in their living situations) was substantially achieved in 52.5 percent of the cases reviewed. Within Permanency Outcome 1, South Dakota's lowest ratings were for item 9 (adoptions), which was rated as a Strength in 27 percent of the cases reviewed, and for item 10 (other planned permanent living arrangement (OPPLA)), which was rated as a Strength in 58 percent of the cases reviewed.

Concerns also were identified with regard to Well-Being Outcome 1 (Families have enhanced capacity to provide for children's needs), which was substantially achieved in 63.1 percent of the cases. The lowest ratings within this outcome were for item 17 (meeting the needs of children, parents, and foster parents), which was rated as a Strength in 63 percent of the cases reviewed; item 18 (child and

family involvement in case planning), which was rated as a Strength in 65 percent of the cases reviewed; and item 20 (worker visits with parents), which was rated as a Strength in 63 percent of the cases reviewed.

Overall, South Dakota achieved successful outcomes due, in part, to the following initiatives:

- The State agency has productively engaged with nine American Indian Tribes throughout the State in a cooperative planning initiative that includes joint staff training, Indian Child Welfare Act (ICWA) liaison activities, title IV-E agreements, and the Collaborative Circle for the Well-Being of South Dakota's Native Children.
- The State agency successfully implemented the Protective Capacity Assessment (PCA) in March 2007. The PCA focuses on behavior change and requires staff to continually assess the safety of the child following the disposition of the Initial Family Assessment (IFA), through case transfer, and during the provision of ongoing services for children with in-home or out-of-home safety plans.

Despite these areas of strength, the State's low performance with regard to the CFSR outcomes may be attributed, at least in part, to the following key factors:

- In many areas of the State, caseworkers carry high caseloads, and there is a high rate of turnover.
- Across the State, the number of foster homes and placement resources is insufficient to meet the needs of children, particularly for Native American children.
- One of the State's most effective approaches to engaging families is the use of family team meetings, and this approach is not utilized throughout the State.
- The State does not consistently search for or engage noncustodial parents in case planning or services.
- The State is less effective in assessing and meeting the needs of children and families in in-home services cases than in meeting the needs of children in foster care.
- Sufficient key services are not available to the rural population of the State.
- The State does not effectively coordinate with courts to ensure that delays are minimized and permanency is expedited for children in foster care.

Key CFSR Findings Regarding Systemic Factors

With regard to systemic factors, South Dakota is in substantial conformity with five of the seven systemic factors: Statewide Information System; Training; Service Array; Agency Responsiveness to the Community; and Foster and Adoptive Parent Licensing, Recruitment, and Retention. South Dakota is not in substantial conformity with the systemic factors of Case Review System and Quality Assurance (QA) System.

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.

South Dakota is not in substantial conformity with Safety Outcome 1. The outcome was substantially achieved in 85.7 percent of the applicable cases, which is less than the 95 percent required for a rating of substantial conformity. The outcome was substantially achieved in 93 percent of the applicable Minnehaha County cases, 88 percent of the applicable Pennington County cases, and 67 percent of the applicable Yankton County cases. For the CFSR 12-month data period ending March 31, 2007, South Dakota met the national standards for the two data indicators relevant for Safety Outcome 1 pertaining to the absence of maltreatment recurrence and the absence of maltreatment of children in foster care by foster parents or facility staff.

Key findings from the 2008 CFSR indicate that South Dakota successfully meets statutory timeframes for initiating investigations of reports of abuse and neglect. However, the findings indicate that the State does not consistently prevent repeat maltreatment for children.

Additional findings in 2008 for this outcome were the following:

- Item 1 (timeliness of initiating investigations) was rated as a Strength in 93 percent of the cases.
- Item 2 (repeat maltreatment) was rated as a Strength in 88 percent of the cases.

South Dakota was not in substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP. The key concerns identified at that time were in relation to improving the timeliness of investigations and reducing repeat maltreatment.

To address these concerns, the State implemented the following strategies:

- Developed an effective and efficient intake system that employs standardized criteria to improve evaluation, screening, and assignment of intakes
- Established a QA process to focus on timeliness of assignment of reports and contact with the child
- Identified contributing factors associated with repeat maltreatment and considered implications for child protective services (CPS) policy and procedural adjustments
- Ensured that recurrence data are based on IFA findings that accurately reflect the substantiation of child maltreatment

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

South Dakota is not in substantial conformity with Safety Outcome 2. The outcome was substantially achieved in 90.8 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 100 percent of the Pennington County cases, 93 percent of the Yankton County cases, and 85 percent of the Minnehaha County cases.

Key findings from the 2008 CFSR indicate that South Dakota is addressing the following challenges:

- Children remained at risk in the home when, in some cases, services were provided but they did not adequately address the safety issues in the family.
- According to the Statewide Assessment and stakeholders across the State, although CPS and law enforcement often conduct investigations as a team, there are still disagreements among the team members about whether to remove a child from a home or whether it is safe to support the family in the home.

Additional findings in 2008 for this outcome were the following:

- Item 3 (services to prevent removal) was rated as a Strength in 86 percent of the cases.
- Item 4 (risk of harm) was rated as a Strength in 91 percent of the cases.

South Dakota was not in substantial conformity with this outcome for the 2001 CFSR and was required to address the outcome in its PIP. The key concerns identified at that time were the following:

- Inadequate provision of services to protect children in their homes
- Lack of follow-up by the agency to ensure that families were engaging in services
- Inappropriate assessments of risk and safety concerns
- Lack of available services to address risk and safety in the family

To address these concerns, the State implemented the following strategies:

- Improved assessment of and response to child safety
- Identified the assessment and service provision issues that are specifically concerned with neglect cases in South Dakota

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

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's 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's 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).

Permanency Outcome 1 also incorporates four national data composites for which national standards have been established: Permanency Composite 1 (Timeliness and permanency of reunification), Permanency Composite 2 (Timeliness of adoptions), Permanency Composite 3 (Permanency for children in foster care for extended time periods), and Permanency Composite 4 (Placement stability).

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

- The outcome was substantially achieved in 52.5 percent of the cases, which is less than the 95 percent required for an overall rating of substantial conformity. The outcome was substantially achieved in 64 percent of the Yankton County cases, 50 percent of the Pennington County cases, and 47 percent of the Minnehaha County cases.
- The State Data Profile indicates that, for the CFSR 12-month target data period, the State met the national standards for only one of the four data composites, namely, Composite 1: Timeliness and permanency of reunification.

Key findings from the 2008 CFSR indicated the following strengths:

- There was a low rate of foster care reentry in the State (item 5).
- The agency achieved the goals of reunification, permanent placement with relatives, or guardianship in a timely manner (item 8).

Despite these strengths, the findings of the 2008 CFSR indicate that South Dakota is addressing the following challenges:

- Placement stability continued to be a challenge for the State (item 6).
- The agency was not consistent with regard to establishing a child's permanency goal in a timely manner (item 7).
- The agency was not consistent with regard to achieving adoptions in a timely manner (item 9).

- The agency did not make concerted efforts to ensure a long-term stable placement for children with the goal of OPPLA and provide necessary services to prepare them for independent living (item 10).

Additional findings in 2008 for this outcome were the following:

- Item 5 (foster care reentry) was rated as a Strength in 100 percent of the cases.
- Item 6 (stability of foster care placements) was rated as a Strength in 77.5 percent of the cases.
- Item 7 (permanency goal for child) was rated as a Strength in 77.5 percent of the cases.
- Item 8 (reunification, guardianship, or placement with relatives) was rated as a Strength in 93 percent of the cases.
- Item 9 (adoption) was rated as a Strength in 27 percent of the cases.
- Item 10 (OPPLA) was rated as a Strength in 58 percent of the cases.

South Dakota was not in substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP. The key concerns identified at that time were the following:

- The State did not consistently prevent foster care reentries in cases in which children were reunified with their parents, and in some cases children reentered foster care multiple times.
- The State did not consistently provide stable foster care placements due, in part, to a lack of appropriate matching of the needs of children with the strengths of foster families. In addition, placement changes were not the result of efforts to promote attainment of the child's permanency plan or to meet the child's needs.
- The State did not consistently provide appropriate Independent Living services (ILS) to children and did not include independent living plans in the case files.
- Adoptions were not consistently achieved in a timely manner due, in part, to disruptions of adoptive placements and delays in requesting a home study for prospective relative adoptions.
- The State did not appropriately capture data in relation to children in permanent placement; cases were entered into the statewide information system as having achieved permanency, even though the children were in trial reunification or pre-adoptive placement.

To address these concerns, the State implemented the following strategies:

- To reduce foster care reentries, the State implemented a safety evaluation tool as a part of the IFA to assess and monitor safety throughout the life of the case.
- To improve the stability of foster care placements and to expedite permanency (including adoptions), the State implemented a case review system as a part of the PCA to assess and monitor the appropriateness of service provision throughout the life of the case.
- The State developed a process to ensure appropriate planning for children who require ILS. Community Resource Persons conducted periodic reviews of ILS case plans to coordinate services provision and provide training for CPS staff on ILS.
- To improve the timeliness of adoptions, the State improved coordination with core community service providers to ensure that necessary services are available and that appropriate follow-up is conducted.

- To address data discrepancies, the State ensured that the Family and Child Information System (FACIS) captures information regarding child placements accurately.

South Dakota 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 placing children in foster care in close proximity to their parents and close relatives (item 11); placing siblings together (item 12); ensuring frequent visitation between children and their parents and siblings in foster care (item 13); preserving connections of children in foster care with extended family, community, cultural heritage, religion, and schools (item 14); seeking relatives as potential placement resources (item 15); and promoting the relationship between children and their parents while the children are in foster care (item 16).

South Dakota is not in substantial conformity with Permanency Outcome 2. The outcome was rated as substantially achieved in 80.0 percent of the cases, which is less than the 95 percent or higher required for substantial conformity. The outcome was substantially achieved in 90 percent of the Pennington County cases, 79 percent of the Minnehaha County cases, and 73 percent of the Yankton County cases.

Key findings in 2008 indicated the following strengths:

- Children were routinely and consistently placed in close proximity to parents or potential permanent caregivers (item 11).
- Children were routinely and consistently placed with siblings (item 12).
- The agency made concerted efforts to maintain children's connections with extended family, culture, and community (item 14).

Despite these strengths, the findings of the 2008 CFSR indicate that South Dakota is addressing the following challenges:

- There was a lack of consistency with regard to promoting visitation between or among siblings in foster care (item 13).
- There was a lack of consistency with regard to seeking and evaluating relatives as potential placement resources (item 15).
- There was a lack of consistency with regard to efforts to maintain and strengthen the parent-child relationship while children are in foster care (item 16).

Additional findings in 2008 for this outcome were the following:

- Item 11 (proximity of placement) was rated as a Strength in 100 percent of the cases.
- Item 12 (placement with siblings) was rated as a Strength in 90 percent of the cases.
- Item 13 (visiting with parents and siblings in foster care) was rated as a Strength in 84 percent of the cases.
- Item 14 (preserving connections) was rated as a Strength in 95 percent of the cases.
- Item 15 (relative placement) was rated as a Strength in 85 percent of the cases.
- Item 16 (relationship of child in care with parents) was rated as a Strength in 72 percent of the cases.

South Dakota was not in substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP. The key concern identified at that time was that the State did not consistently support the preservation of children's connections to the community (item 14), particularly for Native American children.

To address this concern, the State implemented a process that ensured birth and cultural connections were maintained for children. CPS used a process in which workers and foster parents completed a cultural plan for Native American children and children of other cultures that was supported and monitored through the foster care parent monthly reporting process.

South Dakota 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 child welfare 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 the child welfare agency's 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 caseworkers' contacts with the children in their caseloads (item 19) and with the children's parents (item 20).

South Dakota is not in substantial conformity with Well-Being Outcome 1. The outcome was substantially achieved in 63.1 percent of the cases reviewed, which is less than the 95 percent required for a determination of substantial conformity. The outcome was substantially achieved in 82 percent of Pennington County cases, 67 percent of Yankton County cases, and 52 percent of Minnehaha County cases. The outcome was substantially achieved in 75 percent (30 cases) of the 40 foster care cases and 44 percent (11 cases) of the 25 in-home services cases.

The key findings in 2008 indicate that the State is addressing the following challenges:

- There continues to be a lack of consistency in assessing and meeting the service needs of parents (particularly fathers). However, in the cases reviewed, the agency is consistently assessing and addressing the needs of children.
- There also continue to be inconsistencies in adequately involving families (particularly fathers) in case planning.
- Caseworkers were consistent in maintaining visitation with children in the foster care cases, but there were inconsistencies in caseworker visits with children in the in-home cases.
- The 2008 CFSR specifically differentiated between mothers and fathers in evaluating the frequency and quality of caseworker visits. In general, there were insufficient caseworker visits, and there were challenges associated with the quality of visits with both parents. However, these findings were more pronounced for fathers, as evidenced by inconsistent concerted efforts to visit or engage fathers in either case planning or services.

Additional findings in 2008 for this outcome were the following:

- Item 17 (needs and services of child, parents, and foster parents) was rated as a Strength in 63 percent of the cases.
- Item 18 (child and family involvement in case planning) was rated as a Strength in 65 percent of the cases.
- Item 19 (caseworker visits with child) was rated as a Strength in 89 percent of the cases.
- Item 20 (caseworker visits with parents) was rated as a Strength in 63 percent of the cases.

South Dakota did not achieve substantial conformity with this outcome during its 2001 CFSR and was required to address this outcome in its PIP. The key concerns identified at that time were the following:

- The State did not consistently assess needs and provide services for children, parents, and foster parents, primarily due to the lack of sufficient attention paid to the service needs of children in in-home cases and the service needs of biological parents in foster care cases.
- The State did not consistently facilitate the involvement of children and families in case planning, and parents had little or no input into the case plans prepared for their signature.
- The State did not maintain sufficiently frequent contact with children placed outside their home region and in in-home cases.

To address these concerns, the State implemented the following strategies:

- The State created a standardized and continual assessment, planning, and evaluation process that focuses on family and children's needs related to threats to safety and risk assessment. The assessment process identified and addressed the needs of families within treatment plans and assessed progress in fulfilling needs throughout treatment service provision.
- The State enhanced communication between staff and foster parents by (1) ensuring consistent and routine interaction and (2) maintaining a focus on children's needs assessments.
- The State increased and improved family involvement during assessment of need, treatment planning, and case progress.
- The State implemented a case review system as a part of the PCA to assess and monitor the appropriateness of service provision throughout the life of the case.

South Dakota 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 child welfare agency's efforts to address and meet the educational needs of children in both foster care and in-home services cases (item 21).

South Dakota is in substantial conformity with Well-Being Outcome 2. The outcome was substantially achieved in 97.4 percent of the cases reviewed, which is more than the 95 percent required for substantial conformity. The outcome was substantially achieved in 100 percent of the applicable Minnehaha County and Pennington County cases and 91 percent of the applicable Yankton County cases.

The outcome was substantially achieved in 100 percent of the 33 applicable foster care cases and 83 percent (5 cases) of the 6 applicable in-home services cases.

Key findings of the 2008 CFSR indicate that, in the cases reviewed, CPS ensured that children's educational needs were met in a variety of ways. The agency consistently assessed children's educational needs and maintained consistent contact with children's schools. In addition, the agency consistently assessed children's educational needs in order to ensure that specialized services, tutoring, or Individual Educational Plans were in place.

The State was not in substantial conformity with this outcome in the 2001 CFSR, and it was required to address this outcome in its PIP. The key concerns identified at that time were the following:

- Foster parents were not given educational records or information about a child's educational history at the time of placement.
- In in-home cases, children's school-related problems were not addressed, although they were identified as an issue by someone involved in the case.
- For children in foster care or in-home cases for whom obvious education-related problems were identified, such as grade-level delay and poor school performance, their case plans did not address educational needs.

To address these concerns, the State implemented the following strategies:

- Increased the percentage of foster care cases in which the child's educational needs were included in the out-of-home services agreement
- Conducted outcome management reviews and case reviews to determine whether educational needs were being assessed and addressed

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

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

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

South Dakota is not in substantial conformity with Well-Being Outcome 3. The outcome was substantially achieved in 89.7 percent of the cases reviewed, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 100 percent of the applicable Pennington County and Yankton County cases and 79 percent of the applicable Minnehaha County cases. The outcome was substantially achieved in 98 percent (39 cases) of the 40 foster care cases and 72 percent (13 cases) of the 18 applicable in-home services cases.

Key findings of the 2008 CFSR indicate that the State successfully assessed and met the physical and dental health needs of children and that the State successfully assessed and addressed the mental health needs of children in foster care. However, the findings indicate that there were inconsistencies in assessing and addressing the mental health needs of children receiving in-home services.

Additional findings in 2008 for this outcome were the following:

- Item 22 (physical health of child) was rated as a Strength in 96 percent of the cases.
- Item 23 (mental health of child) was rated as a Strength in 88 percent of the cases.

South Dakota did not achieve substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP. The key concerns identified at that time were the following:

- There were delays in health assessments for children in foster care.
- Health records were not included in the case file.
- There was a lack of dental services provided.
- There were unaddressed health issues of children in in-home and foster care cases.
- There was a lack of referral for mental health assessments, although there were obvious behavioral problems.
- There was a lack of follow-up and service provision where services were recommended.
- There was a lack of appropriate service provision in cases where a high level of service need was indicated.
- There was a lack of mental health assessments in cases of children with a history of multiple placements and chronic abuse and neglect.

To address these concerns, the State implemented the following strategies:

- The State increased the percentage of foster care cases in which the child's physical health needs are included in the out-of-home services agreement.
- The State conducted outcome management reviews and case reviews to determine the extent to which the agency assessed and addressed physical and mental health needs.
- To improve the sharing of information between foster parents and caseworkers regarding children's status and needs, the State revised the Foster Parent Monthly Reporting Form to ensure that physical and mental health needs are considered.
- The State improved coordination with core service providers, including the Alcohol and Drug workgroup, Mental Health Directors, and Divisions of Mental Health.

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 a statewide information system that can identify the status, demographic characteristics, location, and goals for children in foster care.

South Dakota is in substantial conformity with the systemic factor of Statewide Information System. The 2008 CFSR found that the State's information system, FACIS, enables managers and staff to document the status, demographic characteristics, placement location, and goals for every child in foster care.

South Dakota was in substantial conformity with this systemic factor in the 2001 CFSR.

Case Review System

Five indicators are used to assess the State's performance with regard to the systemic factor of Case Review System. The indicators examine the 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), the implementation of procedures to seek termination of parental rights (TPR) in accordance with the timeframes established by the Adoption and Safe Families Act (ASFA) (item 28), and the notification and inclusion of foster and pre-adoptive parents and relative caregivers in case reviews and hearings (item 29).

South Dakota is not in substantial conformity with the systemic factor of Case Review System for 2008.

Strengths of the Case Review System noted in the 2008 CFSR included:

- The State has developed a process to ensure that periodic reviews are conducted no less frequently than every 6 months, and the State tracks the timeliness of these reviews in FACIS. South Dakota State law requires court review hearings at a minimum of every 6 months. The hearings are effective in reviewing progress toward case goals (item 26).
- The State has an effective process to provide foster parents, pre-adoptive parents, and relative caregivers with notification of the hearings and reviews and of the opportunity to be heard in any review or hearing held with respect to the child. Caregivers may provide input into court proceedings verbally and/or in writing (item 29).

Despite these areas of strength, the following concerns were noted:

- Although case plans are developed in a timely manner, parents are not consistently involved in case planning. The Statewide Assessment and Onsite Review show that parents are not always directly involved in the process of jointly developing a written case plan and that the agency has not exerted sufficient efforts to locate and engage fathers (item 25).

- Although State law and policy require that children in foster care receive a court permanency hearing no less than 12 months after initial adjudication and every 12 months thereafter, not all permanency hearings are being held on a timely basis. Delays in the 12-month permanency hearing were attributed, in part, to court delays and continuances related to compliance with ICWA (item 27).
- Although the State has policies and procedures that mandate the filing of petitions for TPR in accordance with the provisions of ASFA, delays in the petitioning for TPR are common due, in part, to a lack of efforts to locate noncustodial or absent parents (item 28).

South Dakota also was not in substantial conformity with this systemic factor in its 2001 CFSR, and, therefore, was required to address this factor in its PIP. The key concerns identified at that time were the following:

- The State did not have a process to provide written case plans for each child in foster care that were jointly developed with the parents (item 25).
- The State did not have a process to provide for the periodic review of foster care cases at least once every 6 months (item 26).
- The State did not have a process to provide for filing petitions for TPR within the required timeframes (item 28).
- The State did not have a process to provide notification of hearings to a child's caregivers (item 29).

To address these concerns, the State implemented the following strategies:

- Trained staff to focus on the involvement of parents and families in case planning
- Trained supervisors to coach staff and promote the involvement of parents and families in case planning
- Assessed the extent of the involvement of parents and families in the development of case plans
- Improved effectiveness of 6-month reviews to facilitate timely permanency for children
- Developed a process to determine the status of children in care 15 of the last 22 months without TPR
- Established a process with the State court system to increase compliance with TPR requirements
- Worked with the courts to allow foster parents, pre-adoptive parents, and relatives to be heard at review hearings

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

Quality Assurance System

Performance with regard to the systemic factor of QA System is based on whether the State has developed standards to 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).

South Dakota is not in substantial conformity with the systemic factor of QA System. The 2008 CFSR found that the State has developed and implemented standards to ensure that children in foster care are provided quality services that protect their safety and health. Monthly monitoring and revised rule changes allow CPS to conduct ongoing oversight of foster and group homes. In addition, the training and licensing for foster parents, group homes, and residential treatment facilities are effective in ensuring health and safety

for children (item 30). However, although the State has a clearly identifiable QA system based upon the Federal CFSR, findings from that system are not currently shared with program offices to ensure a system of continuous program improvements for all practice areas and outcomes (item 31).

The State was in substantial conformity with this systemic factor in its 2001 CFSR.

Training

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

South Dakota is in substantial conformity with the systemic factor of Training. The 2008 CFSR found the following strengths of the State's training program:

- The State is operating a staff development and training program that supports the goals and objectives in the Child and Family Services Plan (CFSP). Training is comprehensive and culminates in the demonstration of competencies and the completion of an exam for certification. CPS staff are thoroughly trained and certified prior to assuming a caseload (item 32).
- The State provides an effective initial and ongoing training program 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. A minimum of at least 30 hours of orientation training is required before licensing, and 6 hours of annual training is required each year thereafter (item 34).

Despite these areas of strength, the 2008 CFSR noted concern that, although the State provides ongoing training when there is a new initiative, there is no formal ongoing training requirement for staff, and ongoing training is not provided to staff on a consistent basis (item 33).

The State was in substantial conformity with this systemic factor in its 2001 CFSR.

Service Array

The systemic factor of Service Array incorporates an assessment of three questions: Does the State have in place an array of services to meet the needs of children and families served by the child welfare agency (item 35)? Are these 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)?

South Dakota is in substantial conformity with the systemic factor of Service Array for the 2008 CFSR. The 2008 CFSR found the following strengths in the State's service array:

- Information in the Statewide Assessment and stakeholder interviews indicates that the State has an array of services that assess the strengths and needs of children and families to determine other service needs and to support the safety, permanency, and well-being of children and families. The State provides services both directly and in partnership with community organizations (item 35).
- Information provided by stakeholders indicates that the State consistently uses the IFA to determine the services necessary to meet the unique needs of children and families and that caseworkers develop individualized case plans for service provision. Although the case reviews indicate that in item 17 ratings, parents are not consistently having their needs assessed, particularly in the in-home services cases, the Statewide Assessment and stakeholder interviews suggest that the State has the capacity to individualize services for families through the IFA (item 37).

Despite these areas of strength, the 2008 CFSR noted the following concern:

- The services are not consistently accessible in all areas of the State to meet the needs of children and their families. For example, substance abuse treatment and mental health services are not available statewide (item 36).

South Dakota was not in substantial conformity with this systemic factor in its 2001 CFSR, and, therefore, was required to address this factor in its PIP. The key concerns identified at that time were the following:

- Although adequate services were available in certain jurisdictions, there were not enough service options to ensure access for all children and families throughout the State, due in part to the rural nature of the State.
- Key gaps in services at that time included special needs day care, mental health day-treatment services, therapeutic services for adoptive families, multicultural centers, in-home mental health services, residential placements, and transportation assistance.
- Residential treatment facilities did not provide individualized services to meet children's needs.
- There was a lack of Native American foster homes and culturally appropriate services for immigrant children and families.

To address these concerns, the State implemented the following strategies:

- Developed strategies to improve the accessibility of services for families receiving in-home and out-of-home care
- Implemented a process to inform staff about appropriate services that address client needs
- Increased availability of placement resources that provide for individualized needs and connections for children
- Improved coordination with core service providers, including the Alcohol and Drug workgroup, Mental Health Directors, Division of Mental Health, and domestic violence service providers
- Partnered with the Collaborative Circle to improve coordination and expand resources for Native American families

The State met its target goals for this outcome by the end of 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).

South Dakota is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. The 2008 CFSR found the following strengths in the State agency's responsiveness to the community:

- The State has been engaged in significant consultation with a variety of stakeholders statewide in the development of goals for the CFSP. The State has demonstrated effective working relationships with Tribes, the youth community, and the foster care community (item 38).
- The State has submitted Annual Progress and Services Reports to the Regional Office each year reflecting the consistent involvement of stakeholders statewide (item 39).
- The State has developed an effective means to coordinate services among Federal programs. The DSS's facilities house staff from many of the Federal and State divisions. This co-location of child welfare services alongside Temporary Assistance to Needy Families, child support, and other services permits easy access and coordination of benefits and services to children and families. Referral services to other agencies are made simpler by the ability to take families "down the hall" (item 40).

The State was in substantial conformity with this systemic factor in its 2001 CFSR.

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).

South Dakota is in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. The 2008 CFSR found the following strengths in the State's policies regarding foster and adoptive parent licensing, recruitment, and retention:

- Standards for foster homes and child care institutions are in accord with national standards. The title IV-E Eligibility Review held in May 2006 indicated that the State's licensing procedures are in compliance with Federal regulation and State policy (item 41).
- The State has applied the same standards to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds. Standards for foster homes, relative placements, and the various levels of child care facilities are applied equally, and standards for licensure are applied consistently (item 42).

- The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements. In addition, there are no significant delays in completing the fingerprinting process (item 43).
- The State has policies and procedures in place to effectively use intra-State and inter-State resources for waiting children. Policies and procedures have been established to engage major national and regional networks to identify families outside of South Dakota (item 45).

Despite these areas of strength, the CFSR noted concern that, although the State has recruited and increased its Native American foster care homes to 11 percent of its total foster care homes, this percentage is insufficient to meet the need, and the State has not presented a comprehensive plan to recruit more Native American foster homes. Native American children comprise 62 percent of the child welfare population, and, therefore, a much greater number of Native American foster homes are necessary to meet this need (item 44).

South Dakota was in substantial conformity with this systemic factor during its 2001 CFSR.

Table 1. South Dakota 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	85.7	Met 2 of 2		
Item 1: Timeliness of investigations				Strength	93
Item 2: Repeat maltreatment				ANI	88
Safety Outcome 2: Children are safely maintained in their homes when possible and appropriate	No	90.8			
Item 3: Services to prevent removal				ANI	86
Item 4: Risk of harm				Strength	91
Permanency Outcome 1: Children have permanency and stability in their living situations	No	52.5	Met 1 of 4		
Item 5: Foster care reentry				Strength	100
Item 6: Stability of foster care placements				ANI	77.5
Item 7: Permanency goal for child				ANI	77.5
Item 8: Reunification, guardianship, or placement with relatives				Strength	93
Item 9: Adoption				ANI	27
Item 10: Other planned permanent living arrangement				ANI	58
Permanency Outcome 2: The continuity of family relationships and connections is preserved	No	80.0			
Item 11: Proximity of placement				Strength	100
Item 12: Placement with siblings				Strength	90
Item 13: Visiting with parents and siblings in foster care				ANI	84
Item 14: Preserving connections				Strength	95
Item 15: Relative placement				ANI	85
Item 16: Relationship of child in care with parents				ANI	72

*95 percent of the applicable cases reviewed must be rated as having Substantially Achieved the outcome for South Dakota 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. South Dakota CFSR Ratings for Child and Family Well-Being Outcomes and Items

Outcomes and Indicators	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	63.1		
Item 17: Needs/services of child, parents, and foster parents			ANI	63
Item 18: Child/family involvement in case planning			ANI	65
Item 19: Caseworker visits with child			ANI	89
Item 20: Caseworker visits with parents			ANI	63
Well-Being Outcome 2: Children receive services to meet their educational needs	Yes	97.4		
Item 21: Educational needs of child			Strength	97
Well-Being Outcome 3: Children receive services to meet their physical and mental health needs	No	89.7		
Item 22: Physical health of child			Strength	96
Item 23: Mental health of child			ANI	88

*95 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for South Dakota 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. South Dakota CFSR Ratings for Systemic Factors and Items

Systemic Factors and Items	In Substantial Conformity?	Score*	Item Rating**
Statewide Information System	Yes	4	
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
Case Review System	No	2	
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			Strength
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			ANI
Item 28: The State provides a process for termination of parental rights proceedings in accordance with the provisions of 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			Strength
Quality Assurance System	No	2	
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, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented			ANI
Training	Yes	3	
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
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 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

Systemic Factors and Items	In Substantial Conformity?	Score*	Item Rating**
Service Array	Yes	3	
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
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, 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			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	Yes	3	
Item 41: The State has implemented standards for foster family homes and child care institutions that are reasonably in accord with recommended national standards			Strength
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 an ANI.

Final Report
South Dakota Child and Family Services Review
April 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 South Dakota. 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 (ACF) within HHS.

The South Dakota CFSR was conducted the week of May 19, 2008. The period under review was from April 1, 2007, to May 23, 2008. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the South Dakota Department of Social Services (DSS), Division of Child Protection Services (CPS)
- The State Data Profile, prepared by CB, which provides State child welfare data for fiscal year (FY) 2005, FY 2006, and the 12-month CFSR period ending March 31, 2007
- Reviews of 65 cases at 3 sites throughout the State (33 cases in Minnehaha County, 15 cases in Yankton County, and 17 cases in Pennington 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, service providers, court personnel, Tribal representatives, and attorneys

All 65 cases reviewed onsite were open child welfare agency cases at some time during the period under review. The key characteristics of the 65 cases reviewed are presented in the Table of Key Characteristics on the following page.

The first section of the report (Section A: Outcomes) presents the CFSR findings relevant to the State'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 the State's status with regard to substantial conformity with the outcome at the time of the State's first CFSR review, 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 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.

Table of Key Characteristics of Cases Reviewed

Case Characteristics	Foster Care Cases	In-Home Cases
	40	25
When case was opened/child entered foster care		
Opened prior to the period under review	31 (77.5%)	14 (56%)
Opened during the period under review	9 (22.5%)	11 (44%)
Child entered foster care during the period under review	9	*
Child's age at start of period under review		
Younger than age 10	25 (62.5%)	*
At least 10 but younger than 13	3 (7.5%)	*
At least 13 but younger than 16	6 (15%)	*
16 and older	6 (15%)	*
Race/Ethnicity		
African-American (Non-Hispanic)	2 (5%)	*
American Indian/Native American	9 (22.5%)	*
White (Non-Hispanic)	15 (37.5%)	*
Hispanic (of any race)	6 (15%)	*
Two or more races (Non-Hispanic)	8 (20%)	*
Primary reason for opening case		
Neglect (not including medical neglect)	28 (70%)	17 (68%)
Physical abuse	2 (5%)	5 (20%)
Sexual abuse	0	2 (8%)
Substance abuse by parent	7 (17.5%)	1 (4%)
Abandonment	1 (2.5%)	0
Mental/physical health of the parent	1 (2.5%)	0
Other	1 (2.5%)	0

*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 the Outcomes section of the CFSR Final Report, an overall rating of Strength or Area Needing Improvement (ANI) is assigned to each of the 23 indicators (items) reviewed. An item is assigned an overall rating of Strength if 90 percent of the applicable cases reviewed were rated as a Strength. In addition to the item ratings, States are evaluated with regard to performance on 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. In order for a State to be in substantial conformity with a particular outcome, 95 percent or more 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 on six national data indicators. In order 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.

ACF has set very high standards of performance for the CFSR. The standards are based on the belief that because child welfare agencies work with our country'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. The goal of the CFSR is to promote continuous improvement in performance on these outcomes.

It should be noted, however, that States are not required to attain the 95 percent standard established for the CFSR Onsite Review at 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 are time consuming 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 implement specified activities for their PIP. That is, for each outcome or item that must be addressed in the PIP, each State (working in conjunction with CB) specifies how much improvement the State will demonstrate and/or the activities that it will implement to address the ANIs and determines 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 or 90 percent level requirements of the CFSR.

The second round of the CFSR is intended to assess a State's current level of performance by once more applying the high standards and 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 requirements may have been achieved. The goal is to ensure that program improvement is an ongoing process and does not end with the closing of a PIP.

In the following sections, for each outcome assessed, there is a discussion of how the State performed on that outcome in the first round. If the outcome was not substantially achieved during the first round of the CFSR, there is a discussion of the key concerns identified at that time and the strategies implemented in the PIP to address those concerns.

Because many changes have been made in the onsite 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 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

For the tables, figures displayed may not total 100 percent due to rounding.

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					
	Minnehaha County	Pennington County	Yankton County	Total	Percent
Substantially Achieved	13	7	4	24	85.7
Partially Achieved	0	0	2	2	7.1
Not Achieved or Addressed	1	1	0	2	7.1
Total Applicable Cases	14	8	6	28	
Not Applicable Cases	19	9	9	37	
Total Cases	33	17	15	65	
Conformity of statewide data indicators with national standards					
	National Standard (%)		State's Percentage		Meets Standard
Absence of maltreatment recurrence	94.6 +		94.7		Yes
Absence of maltreatment of children in foster care by foster parents or facility staff	99.68 +		100.00		Yes

Status of Safety Outcome I

South Dakota is not in substantial conformity with Safety Outcome 1. The outcome was determined to be substantially achieved in 85.7 percent of applicable cases, which is less than the 95 percent required for a rating of substantial conformity. The outcome was substantially achieved in 93 percent of applicable Minnehaha County cases, 88 percent of applicable Pennington County cases, and 67 percent of applicable Yankton County cases. In addition to case review findings, for the CFSR 12-month data period ending March 31, 2007, South Dakota met the national standards for the two data indicators relevant to Safety Outcome 1 pertaining to the absence of maltreatment recurrence and the absence of maltreatment of children in foster care by foster parents or facility staff.

Key Concerns From the 2001 CFSR

In the 2001 CFSR, the State was not in substantial conformity with Safety Outcome 1 because both item 1 (timeliness of investigations) and item 2 (repeat maltreatment) were rated as ANIs. For item 1, reviewers found substantial delays in the agency's response to reports of maltreatment. With regard to item 2, reviewers found incidents of repeat maltreatment of children in foster care

and found that, in several cases, the agency did not provide services or make a decision to remove a child until the situation had reached a crisis.

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

- Developed an effective and efficient intake system that employs a standardized criteria to improve evaluation, screening, and assignment of intakes
- Established a quality assurance (QA) process to focus on timeliness of assignment of reports and contact with the child
- Identified contributing factors associated with repeat maltreatment and considered implications for CPS policy and procedural adjustments
- Assured that recurrence data is based on Initial Family Assessment (IFA) findings that accurately conclude the substantiation of child maltreatment

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

Key Findings of the 2008 CFSR

The findings of the 2008 CFSR 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 28 (43 percent) of the 65 cases. Cases were not applicable when there were no reports of child maltreatment 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 State child welfare agency policy requirements.

South Dakota CPS policy regarding report investigation timeframes is as follows:

- Investigations of all screened-in reports of immediate danger must be initiated immediately or the same day the report is received.
- Investigations of all screened-in reports of foreseeable danger must be initiated within 3 days.
- Investigations of all screened-in reports where risk is indicated and the child is 0-6 years old and/or cannot protect him/herself must be initiated within 7 days.
- Investigations of all screened-in reports where risk is indicated and the child is 7-18 years old and there is an indication that the child can self-protect must be initiated within 14 days.

The case review findings for this item are presented below.

Item 1	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	13	7	6	26	93
Area Needing Improvement	1	1	0	2	7
Total Applicable Cases	14	8	6	28	
Not Applicable Cases	19	9	9	37	
Total Cases	33	17	15	65	

Item 1 was rated as a Strength in 100 percent of applicable Yankton County cases, 93 percent of applicable Minnehaha County cases, and 88 percent of applicable Pennington County cases.

Item 1 was rated as a Strength when the investigation was initiated and face-to-face contact was established with the child within the timeframes required by State policy or law. Item 1 was rated as an ANI when face-to-face contact was not established within the required timeframes. In one of the two cases rated as an ANI, the investigation did not include face-to-face contact with all the children who were subjects of the report within the mandated timeframe of 7 days. In the second case rated as an ANI, the delay in investigation was due to a change in an initial determination to screen out the report. The report was initially screened out, but subsequently a supervisor determined that the report merited investigation.

Rating Determination

Item 1 was assigned an overall rating of Strength. In 93 percent of the applicable cases, reviewers determined that the agency had initiated an investigation of a maltreatment report in accordance with the required timeframes. This percentage is more than the 90 percent required for an overall item rating of Strength. This item was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, beginning in 2004, South Dakota opened 10 regional intake offices to manage intake services for child maltreatment. The Statewide Assessment reports that annual CPS QA reviews for each of the seven designated regions in the State for the first quarter of calendar year 2007 found that CPS met initial contact requirements in 82 percent of the cases. The Statewide Assessment reports that an analysis of those cases that did not meet the timeframes for initial contact showed that 4 percent did not have a valid reason for not meeting the required timeframes for initial contact. According to the Statewide Assessment, although CPS policy requires that diligent efforts be made to contact child victims of reports of abuse and neglect, CPS continues to see a need to train caseworkers and supervisors regarding the specific diligent efforts required and the documentation of those efforts.

The Statewide Assessment notes that barriers to the timely investigation of reports of abuse and neglect include the small number of staff in many offices, and language barriers between caseworkers and some of the families who are subjects of investigations. INTERPRETALK®, a phone based interpreter service, can be utilized in all field offices, but interpretation via telephone can be difficult to arrange and understand. According to the Statewide Assessment, CPS does not have a base of bilingual staff to address the influx of refugees from Africa in the Sioux Falls area. However, the Statewide Assessment notes that Sioux Falls offices have collaborated with the local multicultural center along with various local refugee communities within the city to improve CPS’s ability to provide services to this population.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that CPS investigations of reports of abuse and neglect are conducted in a timely manner across the State.

Item 2. Repeat maltreatment

Strength Area Needing Improvement

Case Review Findings

The assessment of item 2 was applicable for 17 (26 percent) of the 65 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 whether 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	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	7	5	3	15	88
Area Needing Improvement	0	0	2	2	12
Total Applicable Cases	7	5	5	17	
Not Applicable Cases	26	12	10	48	
Total Cases	33	17	15	65	

Item 2 was rated as a Strength in 100 percent of applicable Minnehaha County and Pennington County cases and 60 percent of applicable Yankton County cases.

Item 2 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 (15 cases). Item 2 was rated as an ANI in two cases where there were two substantiated maltreatment reports within a 6-month period.

Rating Determination

Item 2 was assigned an overall rating of ANI. In 88 percent of the cases reviewed, reviewers determined that there was no recurrence of maltreatment. This percentage is less than the 90 percent 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, if any new incident of maltreatment occurs within 45 days of a previous assigned Request for Services, it may be screened out as Screen Out/Initial Family Assessment Pending. The Statewide Assessment reports that the State uses the IFA to focus caseworker activity on child safety, parental protective capacity, and risk management.

According to the Statewide Assessment, in cases of reports involving abuse or neglect in foster homes or group/residential facilities, the State's attorney is to be consulted regarding the investigation, and an alert is transmitted to the Protective Services Program Specialist and Licensing Program Specialist.

The Statewide Assessment reports that, according to an annual CPS QA review, no repeat maltreatment was found in 95 percent of the cases reviewed in 2007. According to the Statewide Assessment, barriers to preventing repeat maltreatment are rooted in the collaboration with law enforcement departments and State's attorneys: law enforcement may not concur with CPS findings or a State attorney may refuse to file for custody, thus leaving children in homes where CPS indicates present or foreseeable danger.

In addition, the Statewide Assessment notes that a number of cases of repeat maltreatment (15 out of 85) in 2007 involved circumstances where the child's American Indian Tribe returned custody to the parents after the State court initiated action in response to a substantiation. According to the Statewide Assessment, once children are transferred to the Tribe under Indian Child Welfare Act (ICWA) provisions, the Tribe has the authority to determine whether and when the children will be returned to the parent.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that some families are the subject of multiple maltreatment reports.

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					
	Minnehaha County	Pennington County	Yankton County	Total	Percent
Substantially Achieved	28	17	14	59	90.8
Partially Achieved	0	0	0	0	0
Not Achieved	5	0	1	6	9.2
Total Cases	33	17	15	65	

Status of Safety Outcome 2

South Dakota is not in substantial conformity with Safety Outcome 2. The outcome was determined to be substantially achieved in 90.8 percent of cases reviewed, which is less than the 95 percent required for a rating of substantial conformity. The outcome was substantially achieved in 100 percent of Pennington County cases, 93 percent of Yankton County cases, and 85 percent of Minnehaha County cases.

Key Concerns From the 2001 CFSR

The State was not in substantial conformity with Safety Outcome 2 in the 2001 CFSR because both item 3 (services to family to protect children in home and prevent removal) and item 4 (risk of harm to child) were rated as ANIs. Key concerns identified at that time were the following:

- Inadequate provision of services to protect children in their homes
- Lack of follow up by the agency to ensure that families were engaging in services
- Inappropriate assessments of risk and safety concerns
- Lack of available services to address risk and safety in the family

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

- Improved assessment of and response to child safety
- Identified the assessment and service provision issues that are specifically concerned with neglect cases in South Dakota

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

Key Findings of the 2008 CFSR

The findings of the onsite 2008 CFSR pertaining to the specific items assessed under Safety Outcome 2 are presented below.

Item 3. Services to family to protect child(ren) in home and prevent removal

Strength Area Needing Improvement

Case Review Findings

An assessment of item 3 was applicable in 43 (66 percent) of the 65 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 an identified risk of harm to the children in the home (including children reunified from foster care) 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 ensuring their safety. The results of this assessment are shown in the table below.

Item 3	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	19	11	7	37	86
Area Needing Improvement	5	0	1	6	14
Total Applicable Cases	24	11	8	43	
Not Applicable Cases	9	6	7	22	
Total Cases	33	17	15	65	

Item 3 was rated as a Strength in 100 percent of applicable Pennington County cases, 88 percent of applicable Yankton County cases, and 79 percent of applicable Minnehaha County cases.

Item 3 was rated as a Strength when reviewers determined one or more of the following:

- Services were provided to the parents and child to prevent removal (20 cases).
- The family received post-reunification services to prevent the child's reentry into foster care (nine cases).
- The child was removed from the home without service provision to ensure the safety of the child (six cases).
- The child was placed voluntarily with relatives and services were provided to the relatives, parents, and children (three cases).

Case review information indicates that a range of services was offered or provided to families. These included (but were not limited to): in-home family based services, Parent Aide visitation services, Family Group Decision Making (FGDM), safety planning,

individual and family mental health services, respite care, trial home visits, transportation, early intervention, primary health-care services, parenting support, flexible funding for family needs, vocational rehabilitation, community networking, school liaison, domestic violence services, substance abuse services, and anger management.

Item 3 was rated as an ANI when reviewers determined that some services were provided, but they did not adequately address the safety issues in the family and the children remained at risk in the home (six in-home cases).

Rating Determination

Item 3 was assigned an overall rating of ANI. In 86 percent of the cases, reviewers determined that CPS had made concerted efforts to maintain children safely in their own homes. This percentage is less than the 90 percent 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, the IFA provides the basis for the preliminary safety evaluation and assessment of the foreseeable danger to the child. Once the IFA is developed, it facilitates the development of an immediate protective plan (IPP) to manage immediate danger when a nonmaltreating parent or caregiver has the capacity and willingness to protect the child. In addition, the Statewide Assessment reports that safety planning occurs with the family because they are the experts about their family and are the most accountable for safety and security within the family. The Statewide Assessment also notes that, beginning in April 2007, safety plans are not only put into place when appropriate to keep children safely in the home at the conclusion of the IFA, but safety plans also are used when children are reunified.

The Statewide Assessment notes that a barrier common to many items, workload and retention, impacts the agency's ability to provide services to families to protect children in the home and prevent removal or reentry into foster care. The Statewide Assessment notes that the Parent Aide Program in Sioux Falls and the Social Services Aide Program are used to provide additional support to caseworkers in monitoring and ensuring safety for children at home. In addition, the Statewide Assessment reports that the Rapid City CPS office (Pennington County) uses a modified version of FGDM to develop in-home safety plans.

As indicated in item 1, the Statewide Assessment notes that the barriers to the agency's ability to provide services to families to protect children in the home and prevent entry or reentry into foster care include a lack of effective communication with law enforcement: In some jurisdictions, law enforcement officers may take children into protective custody before CPS is notified or regardless of CPS recommendation. However, the Statewide Assessment notes that many offices are providing ongoing education and training to law enforcement, judges, and State's attorneys on the practice and use of IPPs and in-home safety plans.

The Statewide Assessment acknowledges that South Dakota is primarily rural and that rural communities isolated by distance from the urban centers of Sioux Falls and Rapid City struggle to locate the protective services needed by families.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that the Parent Aide Program, in particular, is helpful in supporting families in their homes to prevent the removal of children. In addition, stakeholders reported that multidisciplinary team meetings are used to coordinated services to prevent the removal of children and support families at home.

Some stakeholders across the sites and at the State level echoed the Statewide Assessment and noted that, although CPS and law enforcement often conduct investigations as a team, there are still disagreements among the team members about whether to remove a child from a home or whether it is safe to support the family in the home.

Item 4. Risk of harm to child

 X Strength Area Needing Improvement

Case Review Findings

An assessment of item 4 was applicable for all 65 cases. In assessing item 4, reviewers were to determine whether the agency had made, or was making, diligent efforts to address the risk of harm to the children involved in each case. The results of this assessment are shown in the table below.

Item 4	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	28	17	14	59	91
Area Needing Improvement	5	0	1	6	9
Total Cases	33	17	15	65	

Item 4 was rated as a Strength in 100 percent of Pennington County cases, 93 percent of Yankton County cases, and 85 percent of Minnehaha County cases.

Item 4 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 either in the children’s home or in the children’s foster home and (2) addressing all safety-related concerns identified through the assessment.

Item 4 was rated as an ANI in six in-home services cases when reviewers determined the following:

- There was risk of harm to the children when an initial assessment of safety and risk was conducted but ongoing safety and risk assessments were not conducted (two cases).

- The risk of harm to the children was not addressed when safety and risk assessments were not conducted (two cases).
- There was risk of harm to the children when the case was closed and services necessary to reduce risk were not provided prior to case closure (two cases).

Rating Determination

Item 4 was assigned an overall rating of Strength. In 91 percent of the applicable cases, reviewers determined that CPS had appropriately addressed the risk of harm to the children. This percentage is more than the 90 percent required for an overall rating of Strength. This item was rated as an ANI in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the Protective Capacity Assessment (PCA), implemented in March 2007, focuses on behavior change rather than service compliance and requires staff to continually assess the safety of the child following the disposition of the IFA, through case transfer, and during the provision of ongoing services for children with in-home or out-of-home safety plans. The Statewide Assessment notes that all reunification cases where foreseeable danger was identified in the IFA require the development and implementation of an in-home safety plan prior to reunification.

The Statewide Assessment reports that, according to an annual CPS QA review, 81 percent of the cases were appropriately assessed for risk and safety in 2007. The Statewide Assessment reports that barriers to the thorough assessment of risk and safety include the lack of agreement with law enforcement and State's attorneys regarding safety decision-making. However, the Statewide Assessment notes that ongoing efforts to promote joint safety decision-making with State's attorneys and law enforcement are yielding positive results as indicated by increased agreement.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that CPS consistently conducts safety and risk assessments during an investigation. Some stakeholders noted that caseworkers and the Parent Aide Program provide ongoing safety and risk assessments of families throughout the case and at the time of reunification.

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					
	Minnehaha County	Pennington County	Yankton County	Total	Percent
Substantially Achieved	9	5	7	21	52.5
Partially Achieved	10	4	3	17	42.5
Not Achieved or Addressed	0	1	1	2	5.0
Total Foster Care Cases	19	10	11	40	
Conformity of statewide data indicators with national standards					
	National Standard (Scaled Score)		State's Composite Score		Meets Standard (Yes/No)
Composite 1: Timeliness and permanency of reunification	122.6 +		138.3		Yes
Composite 2: Timeliness of adoptions	106.4 +		55.4		No
Composite 3: Permanency for children in foster care for extended time periods	121.7 +		64.1		No
Composite 4: Placement stability	101.5 +		79.9		No

Status of Permanency Outcome 1

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

- The outcome was determined to be substantially achieved in 52.5 percent of cases, which is less than the 95 percent required for an overall rating of substantial conformity.
- The State Data Profile indicates that, for the 12-month CFSR data period ending March 31, 2007, while the State met the national standard for Composite 1: Timeliness and permanency of reunification, the State did not meet the national standards for the remaining three data indicators including:
 - Composite 2: Timeliness of adoptions
 - Composite 3: Permanency for children in foster care for extended periods of time
 - Composite 4: Placement stability

Permanency Outcome 1 was substantially achieved in 64 percent of Yankton County cases, 50 percent of Pennington County cases, and 47 percent of Minnehaha County cases.

Performance on the individual measures included in the composite data indicators is presented in the discussion of the items related to each measure.

Key Concerns From the 2001 CFSR

The State was not in substantial conformity with Permanency Outcome 1 during the 2001 CFSR. The following key concerns were identified at that time:

- The State did not consistently prevent foster care reentries in cases where children were reunified with their parents, and in some cases children reentered foster care multiple times.
- The State did not consistently provide stable foster care placements due, in part, to a lack of appropriate matching of the needs of children with the strengths of foster families. In addition, placement changes were not the result of efforts to promote attainment of the child's permanency plan or to meet the child's needs.
- The State did not consistently provide appropriate Independent Living services (ILS) to children and did not include independent living plans in the case files.
- Adoptions were not consistently achieved in a timely manner due, in part, to disruptions of adoptive placements and delays in requesting a home study for prospective relative adoptions.
- The State did not appropriately capture data in relation to children in permanent placements; cases were entered into the statewide information system as having achieved permanency though the children were in trial reunification or pre-adoptive placement.

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

- To reduce foster care reentries, the State implemented a safety evaluation tool as a part of the IFA to assess and monitor safety throughout the life of the case.
- To improve the stability of foster care placements and to expedite permanency (including adoptions), the State implemented a case review system as a part of the PCA to assess and monitor the appropriateness of service provision throughout the life of the case.
- The State developed a process to assure appropriate planning for children who require ILS. Community Resource Persons (CRPs) conducted periodic reviews of ILS case plans to coordinate services provision and provide training for CPS staff on ILS.
- To improve the timeliness of adoptions, the State improved coordination with core community service providers to ensure that necessary services are available and that appropriate follow-up is conducted.
- To address data discrepancies, the State ensured that the Family and Children Information System (FACIS) captures information regarding child placements accurately.

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

Key Findings of the 2008 CFSR

Findings of the onsite 2008 CFSR 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 9 (23 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 or not 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	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	5	2	2	9	100
Area Needing Improvement	0	0	0	0	0
Total Applicable Foster Care Cases	5	2	2	9	
Not Applicable Foster Care Cases	14	8	9	31	
Total Foster Care Cases	19	10	11	40	

Item 5 was rated as a Strength in 100 percent of cases reviewed in all three counties. Item 5 was rated as a Strength when 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.

Rating Determination

Item 5 was assigned an overall rating of Strength. The item was rated as a Strength in 100 percent of the applicable cases. This percentage is more than the 90 percent required for a rating of Strength. This item was rated as an ANI in the State's 2001 CFSR.

Performance on the Individual Measures Included in Composite 1: Timeliness and permanency of reunification

State performance for the 12-month CFSR data period ending March 31, 2007, on the individual measure of foster care reentry (measure C1.4) included in Composite 1: Timeliness and permanency of reunification was as follows: 12 percent of the children discharged from foster care to reunification reentered foster care in less than 12 months from the date of discharge. This percentage is less than the national median of 15 percent. For this measure, lower percentages are associated with higher levels of performance.

These data are presented to provide additional information about foster care reentry. There is no national standard for this measure. National standards have been established only for the scaled composite scores.

Statewide Assessment Information

According to the Statewide Assessment, the PCA includes an evaluation of the conditions in the home prior to the child’s return to ensure that safety will continue to be managed for the child after being returned home. In addition, the Statewide Assessment notes that CPS commonly uses trial reunification for up to 6 months in addition to court-ordered supervision after reunification to ensure that families have the services they need to prevent reentry into foster care.

The Statewide Assessment reports that, according to an annual CPS QA review, 95 percent of the cases showed no reentries in 2007. According to the Statewide Assessment, because the PCA was implemented in March 2007, quantitative information on its effectiveness in preventing reentries is not available. However, a staff focus group held in May 2007 reported that use of the PCA has improved the staff’s approach to working with families and children to ensure safety. The Statewide Assessment acknowledges that barriers to preventing reentries into foster care for children include caseworker workload capacity limitations and rural service delivery limitations.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that some families continue to experience challenges, such as drug abuse relapse or mental illness, requiring children to return to foster care despite the agency’s best efforts to support reunification.

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	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	13	9	9	31	77.5
Area Needing Improvement	6	1	2	9	22.5
Total Foster Care Cases	19	10	11	40	

Item 6 was rated as a Strength in 90 percent of Pennington County cases, 82 percent of Yankton County cases, and 68 percent of Minnehaha County cases.

Item 6 was rated as a Strength when reviewers determined the following:

- The child did not experience a placement change during the period under review, and either the current placement was stable, the child was discharged from foster care, or the child was adopted during the period under review (19 cases).
- The placement changes experienced were in the child’s best interests and were intended either to promote achieving the child’s permanency goal or to provide specialized services to the child (12 cases).

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

- The child experienced multiple placements and at least one placement change was not planned in the child’s best interests (four cases). For example, in three cases the child was placed temporarily in a shelter placement because a more appropriate setting was not available.
- The child’s current placement was not stable (three cases).
- The child experienced multiple unplanned placement changes and the current placement was not stable (two cases).

Additional findings of the case review were the following:

- Children in 22 cases experienced only 1 placement during the period under review.
- Children in 11 cases experienced 2 placements during the period under review.
- Children in seven cases experienced three or more placements during the period under review.

Rating Determination

Item 6 was assigned an overall rating of ANI. In 77.5 percent of the applicable cases, reviewers determined that children experienced placement stability or that changes in placements were in the best interests of the child. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State’s 2001 CFSR.

Performance on the Individual Measures Included in Composite 4: Placement stability

South Dakota’s performance for the 12-month CFSR data period ending March 31, 2007, on the three individual measures of placement stability included in Composite 4: Placement stability is presented below.

- C4.1: 81.2 percent of the children in foster care for less than 12 months experienced two or fewer placement settings. This percentage is less than the national median of 83.3 percent.
- C4.2: 44.3 percent of the children in foster care for at least 12 months but less than 24 months experienced two or fewer placement settings. This percentage is less than the national median of 59.9 percent.
- C4.3: 20.8 percent of the children in foster care for at least 24 months experienced two or fewer placement settings. This percentage is less than the national median of 33.9 percent.

These data are presented to provide additional information about placement stability. There are no national standards for performance on these measures individually. National standards have been established only for the scaled composite scores.

Statewide Assessment Information

According to the Statewide Assessment, beginning with the assessment of child functioning performed during the IFA, the Family Services Specialist considers the individualized needs of each child to find the best placement match, including a consideration of relative resources. Additionally, the Statewide Assessment reports that the Child Assessment Case Plan, prepared within 60 days of placement and evaluated after 6 months and then every 90 days thereafter, includes an evaluation of any changes in placement resources in addition to changes in the child’s needs.

The Statewide Assessment reports that the use of shelter care as an initial placement is high in some regions and is 47 percent overall for the 12 months ending June 30, 2007. In addition, the Statewide Assessment notes that barriers to placement stability include the preemptive removal of children from their homes by law enforcement, difficulties in making appropriate matches, poor preparation of foster families, and the lack of development of a proactive response to emerging issues in placements. To address these issues, the Statewide Assessment reports that Family Services Specialists are trained to better match a child’s needs to prospective placements and that targeted recruitment is taking place to provide placements for children with intensive needs.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that the use of shelters as an initial placement continues to be a common practice. Some stakeholders noted that placement stability meetings in Pennington County are helpful in making more appropriate and timely placement decisions for children in foster care.

Item 7. Permanency goal for child

Strength Area Needing Improvement

Case Review Findings

All of the 40 foster care cases were applicable for an assessment of item 7. In assessing this item, reviewers determined whether the agency had established a permanency goal for the child in a timely manner and whether the most current permanency goal was appropriate. In addition, reviewers determined whether termination of parental rights (TPR) was sought in accordance with Adoption and Safe Families Act (ASFA) requirements. The results of this assessment are shown below.

Item 7	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	16	8	7	31	77.5
Area Needing Improvement	3	2	4	9	22.5
Total Foster Care Cases	19	10	11	40	

Item 7 was rated as a Strength in 80 percent of Pennington County cases, 84 percent of Minnehaha County cases, and 64 percent of Yankton County cases.

Item 7 was rated as a Strength when reviewers determined that the child’s permanency goal was appropriate, had been established in a timely manner, and that the agency had adhered to ASFA requirements with regard to filing for TPR.

The item was rated as an ANI when reviewers determined the following:

- The child’s permanency goal was appropriate but was not established in a timely manner (four cases).
- The child’s permanency goal was established in a timely manner but was not appropriate to the needs of the child (three cases).
- TPR was not sought in accordance with ASFA timelines and compelling reasons were not noted in the case file (two cases).

Case review findings pertaining to case plan goals were as follows:

- Twelve children had a single goal of other planned permanent living arrangement (OPPLA). More information on children with the goal of OPPLA is presented under item 10 below.
- Fourteen children had a single goal of adoption. More information on children with the goal of adoption is presented under item 9 below.
- Nine children had a single goal of reunification (including living with other relatives). More information on children with this goal is presented under item 8 below.
- Three children had a single goal of guardianship.
- One child had concurrent goals of guardianship and reunification.
- One child had concurrent goals of reunification and adoption.

In addition, case review findings show that, contrary to State policy, the goal of OPPLA was established for 10 children who were under the age of 16. Findings regarding these children follow:

- One child was nearly 16 at the time the goal was established and it was appropriate to the needs of the child.
- Two children had high therapeutic needs at the time the goal was established and it was appropriate to their needs.
- Two children who were in their early teens requested that the agency not terminate the rights of their parents and had a strong bond with their foster parents; therefore, the goal of OPPLA was appropriate.
- In three cases, reviewers determined that the goal of OPPLA was inappropriate to the children's needs.

Case review findings show that, at the time of the Onsite Review, 92 percent (22 cases) of the 24 cases regarding children who had been in foster care for 15 of the most recent 22 months were in compliance with ASFA requirements regarding TPR.

Rating Determination

Item 7 was assigned an overall rating of ANI. Case reviewers determined that in 77.5 percent of the applicable cases, the agency had established an appropriate permanency goal for the child in a timely manner and had met ASFA requirements with regard to TPR. This percentage is less than the 90 percent required for a rating of Strength. This item was rated as a Strength in the State's 2001 CFSR.

Performance on the Individual Measures Included in Composite 3: Permanency for children in foster care for extended time periods

South Dakota's performance for the 12-month CFSR period ending March 31, 2007, on the individual measures incorporated in Permanency Composite 3: Achieving permanency for children in foster care for long periods of time is presented below.

- C3.1: 25.9 percent of the children in foster care for 24 months or longer at the start of the fiscal year were discharged from foster care to a permanent home (i.e., adoption, reunification with parents or other relatives, or guardianship) by the end of the fiscal year. This percentage exceeds the national median of 25 percent.
- C3.2: 79.9 percent of the children exiting foster care 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.
- C3.3: 60.6 percent of the children who were discharged from foster care with a discharge reason of emancipation had been in foster care for 3 years or longer at the time of discharge. This percentage is above the national median of 47.8 percent. For this measure, lower scores indicate more positive performance.

These data are presented to provide additional information about permanency for children in foster care for extended time periods. There are no national standards for performance on these measures individually. National standards have been established only for the scaled composite scores.

Statewide Assessment Information

According to the Statewide Assessment, the Child Assessment Case Plan, which assigns a goal for each child, is to be completed within 60 days of placement, evaluated after 6 months, and evaluated every 90 days thereafter. The Statewide Assessment notes that when a child has a goal of reunification, the caseworker must pursue concurrent planning efforts on an ongoing basis in the event reunification is not achieved. According to the Statewide Assessment, the number of children with a case plan goal of OPPLA has recently decreased.

The Statewide Assessment reports that, according to an annual CPS QA review, 94 percent of the cases reviewed in 2007 showed that CPS policy was followed regarding the following four areas: preference of permanent family, service provision to support permanency, appropriateness of permanency plan, and periodic review of the permanency plan. The Statewide Assessment acknowledges that barriers to the development of timely and appropriate permanency goals for children in foster care include a lack of foster and adoptive placements and court delays in approving agency placements.

The Statewide Assessment reports that, according to an annual CPS QA review, 88 percent of the cases reviewed with a goal of OPPLA in 2006 and 2007 showed that CPS documented both the consideration of other permanent plans such as adoption or guardianship and the appropriateness of the current goal. In addition, the Statewide Assessment reports that currently 14 percent of the children with a goal of OPPLA are under 12 years old. According to an analysis of the documented reasons for choosing the goal of OPPLA, the Statewide Assessment reports that 34 percent were for treatment issues or special needs and 21 percent were due to the child's age, while the remaining reasons included the maintenance of a connection to family, child's wishes, and court delays.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that concurrent plans are seen in some cases and that TPR is filed in a timely manner for most children. Some stakeholders noted that CPS works with Tribes, where relevant, to set permanency goals for children. Some stakeholders noted that, although the number of children with a goal of OPPLA appears large, there are very few cases for which this goal is inappropriate.

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

Strength Area Needing Improvement

Case Review Findings

Item 8 was applicable for 14 (35 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, 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	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	7	4	2	13	93
Area Needing Improvement	1	0	0	1	7
Total Applicable Foster Care Cases	8	4	2	14	
Not Applicable Foster Care Cases	11	6	9	26	
Total Foster Care Cases	19	10	11	40	

Item 8 was rated as a Strength in 100 percent of applicable Pennington County and Yankton County cases and 88 percent of applicable Minnehaha County cases.

Item 8 was rated as a Strength in 13 cases when reviewers determined that the goal of reunification, guardianship, or placement with relatives had been achieved in a timely manner or that the agency was making concerted efforts to achieve the goal in a timely manner. Item 8 was rated as an ANI in one case in which reviewers determined that the State had not made concerted efforts to achieve the goal in a timely manner, primarily due to court continuances.

Rating Determination

Item 8 was assigned an overall rating of Strength. Case reviewers determined that in 93 percent of the applicable cases, the agency had made diligent efforts to attain the goals of reunification, guardianship, or permanent placement with relatives in a timely manner. This percentage is higher than the 90 percent required for a rating of Strength. In the State's 2001 CFSR, there was no comparable item. At that time, item 8 pertained to ILS. The change for item 8 from an assessment of ILS to an assessment of timeliness of achieving goals of reunification, guardianship, and permanent placement of relatives was not made until Federal FY 2002.

Performance on the Individual Measures Included in Composite 1: Timeliness and permanency of reunification

South Dakota's performance during the 12-month CFSR data period ending March 31, 2007, pertaining to the timeliness of reunification measures included in Composite 1: Timeliness and permanency of reunification is as follows:

- C1.1: 79.2 percent of the reunifications occurred in at least 8 days but less than 12 months after the child's entry into foster care. This percentage is higher than the national 75th percentile of 75.2 percent.
- C1.2: The median length of stay in foster care for children in foster care for at least 8 days who were discharged to reunification was 5.3 months. This length of stay is shorter than the national 25th percentile of 5.4 months. For this measure, a lower number of months indicates a higher level of performance.
- C1.3: 52.5 percent of children entering foster care in the last 6 months who were in foster care for at least 8 days were discharged from foster care to reunification in less than 12 months of entry into foster care. This percentage is higher than the national 75th percentile of 48.4 percent.

These data are presented to provide additional information about permanency of reunification. There are no national standards for performance on these measures individually. National standards have been established only for the scaled composite scores.

Statewide Assessment Information

According to the Statewide Assessment, reunification is the preferred permanency goal unless there is cause to believe reunification is not in the best interests of the child. The Statewide Assessment notes that both parents are to be engaged in case planning for the child and that paternal and maternal relatives are to be considered as a priority for placement.

The Statewide Assessment reports that for the 12 months ending June 2007, 20 percent of the children in foster care were placed with relatives and 59 percent of the children discharged were discharged to reunification. The Statewide Assessment notes that the agency’s increased emphasis on kinship care and concurrent planning has resulted in more children achieving permanency either at home or with relatives. In addition, the Statewide Assessment notes that the PCA provides caseworkers with a tool to focus on enhancing parenting behavior that is directly related to the ability of parents to keep their children safe.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that supported guardianship and relative placements have increased.

Item 9. Adoption

Strength Area Needing Improvement

Case Review Findings

Item 9 was applicable for 15 (37.5 percent) of the 40 foster care cases. In assessing this item, reviewers were to determine whether diligent efforts had been made or were being made to achieve finalized adoptions in a timely manner. The results are shown in the table below.

Item 9	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	2	0	2	4	27
Area Needing Improvement	6	3	2	11	73
Total Applicable Foster Care Cases	8	3	4	15	
Not Applicable Foster Care Cases	11	7	7	25	
Total Foster Care Cases	19	10	11	40	

Item 9 was rated as a Strength in 50 percent of applicable Yankton County cases, 25 percent of applicable Minnehaha County cases, and none of the applicable Pennington County cases.

Item 9 was rated as a Strength in four 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 11 cases when reviewers determined that the State had not made diligent efforts to achieve a finalized adoption in a timely manner due to the following circumstances:

- Delays in court hearings
- Delays on the part of the agency in filing for TPR
- Lack of concerted efforts on the part of the agency in locating an adoptive family
- Delays caused by the ICWA process

Case review findings pertaining to the goal of adoption were as follows:

- There were 15 cases with a goal of adoption, including 1 case with the concurrent goal of adoption and reunification.
- Adoption was finalized in 3 of the 15 cases, but the finalization did not occur within 24 months of the child's entry into foster care.
- In two cases, children were placed in pre-adoptive homes.
- In 10 cases, efforts to achieve adoption were either not on track or adoption had not been achieved within 24 months of the child's entry into foster care.
- In one case, although the child had a concurrent plan of reunification and adoption, no efforts had been made to achieve the goal of adoption.

Rating Determination

Item 9 was assigned an overall rating of ANI. Case reviewers determined that CPS had made diligent efforts to achieve adoptions in a timely manner in only 27 percent of the applicable cases. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State's 2001 CFSR.

Performance on the Individual Measures Included in Composite 2: Timeliness of adoptions

The following information describes South Dakota's performance for the 12-month period ending March 31, 2007, on the individual measures included in the CFSR Data Composite 2: Timeliness of adoptions:

- C2.1: 15.0 percent of the children exiting to adoption were discharged in less than 24 months from the time of entry into foster care. This percentage is less than the national median of 26.8 percent.
- C2.2: The median length of stay in foster care for children adopted was 31.8 months. This median length of stay is less than the national median of 32.4 months. For this measure, a lower number of months indicates a higher level of performance.
- C2.3: 21.6 percent of children in foster care for 17 months or longer on the first day of the target period were discharged to a final adoption by the last day of the target period. This percentage is higher than the national median of 20.2 percent.

- C2.4: 4.1 percent of children in foster care for 17 months or longer on the first day of the target period became legally free for adoption (i.e., there was a TPR for both mother and father) within the first 6 months of the target period. This percentage is less than the national median of 8.8 percent.
- C2.5: 11.7 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 of 45.8 percent.

These data are presented to provide additional information about timeliness of adoption. There are no national standards for performance on these measures individually. National standards have been established only for the scaled composite scores.

Statewide Assessment Information

According to the Statewide Assessment, adoption planning in South Dakota begins when a concurrent plan is developed within 60 days of placement and outlines preferences for adoptive placement including relatives. However, for Native American children, ICWA governs placement preferences and resulting decisions.

According to the Statewide Assessment, in 2007, 55 percent of the children adopted were adopted by foster parents, and 41.5 percent of children adopted were adopted by relatives. The Statewide Assessment reports that, according to a review of cases in 2007, legal appeal reviews were cited as responsible for the delay in children achieving adoption in 22 percent of the cases, and TPR was cited as responsible for the delay in only 11 percent of the cases reviewed.

The Statewide Assessment acknowledges that barriers to achieving timely adoption for children include the difficulty of identification and cultivation of adoptive resources and delays involved in working jointly with the Tribes to identify appropriate adoption resources for Native American children. According to the Statewide Assessment, CPS conducts targeted recruitment to locate Native American families as resources for children in Sioux Falls, Rapid City, Central South Dakota, and two Tribal reservations.

Additionally, the Statewide Assessment notes that South Dakota uses the Dakota Heart Gallery, Adoption Exchange, AdoptUsKids, and Wendy's Wonderful Kids to identify adoptive homes for waiting children.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that ICWA presents barriers to permanency for Native American children due to Tribal beliefs that TPR is not an accepted part of Native American culture. Some stakeholders indicated that when concurrent planning occurs, permanency is expedited for children; however, it does not occur routinely. Some stakeholders indicated that delays in the achievement of TPR include delays of cases on appeal.

During the period under review, an extensive legal assessment was required to review cases to prevent potential appeals of TPR petitions. This process was reported by stakeholders to cause a significant delay in the filing of TPR petitions. According to State-level stakeholders, the legal assessment was discontinued as of April 2008.

Item 10. Permanency goal of other planned permanent living arrangement

Strength Area Needing Improvement

Case Review Findings

Item 10 was applicable for 12 (30 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 goals related to OPPLA. The results are presented in the table below.

Item 10	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	1	1	5	7	58
Area Needing Improvement	2	2	1	5	42
Total Applicable Foster Care Cases	3	3	6	12	
Not Applicable Foster Care Cases	16	7	5	28	
Total Foster Care Cases	19	10	11	40	

Item 10 was rated as a Strength in 83 percent of applicable Yankton County cases and 33 percent of applicable Minnehaha County and Pennington County cases.

Item 10 was rated as a Strength when reviewers determined the following:

- The child was in a long-term, stable placement and was receiving the necessary services and supports to promote a successful transition from foster care to independent living once the child reaches the age of emancipation (five cases).
- The child had long-term special needs that were being adequately addressed in a specialized setting, and the State was planning to transition the child to a supervised living arrangement at the age of majority (two cases).

Item 10 was rated as an ANI when reviewers determined the following:

- The agency was not providing the child with sufficient services to assist in transitioning to independent living (two cases).
- The child is not in a long-term placement and the current placement is unstable (three cases).

Case review findings pertaining to the age of children with the goal of OPPLA at the time the goal was established were as follows:

- Of the 12 cases assessed for this item, 4 involved children who were 16 or older.
- Of the 12 cases assessed for this item, 4 involved children who were at least age 13 but younger than age 16.
- Of the 12 cases assessed for this item, 4 involved a child who was younger than age 13.

Further information regarding the establishment of the goal of OPPLA is presented in item 7 above. Contrary to State policy, the goal of OPPLA was established for eight children who were under the age of 16. For three of these children, reviewers determined that OPPLA was not an appropriate goal at the time it was established.

Rating Determination

Item 10 was assigned an overall rating of ANI. In 58 percent of the cases, reviewers determined that the goal of OPPLA was being addressed in an appropriate way. This percentage is less than the 90 percent 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, CPS may assign the goal of long-term foster care for children for whom reunification, guardianship, or adoption are not feasible due to the wishes of the child or to meet the child's special needs. However, the Statewide Assessment notes that reunification, guardianship, and adoption must be duly considered and ruled out before the goal of long term foster care is assigned as a permanent plan for a child. In addition, the Statewide Assessment notes that children over age 12 must consent to an adoption and that there are cases in which a child has an attachment to a resource family but adoption is not appropriate. The Statewide Assessment reports that, for children with a goal of OPPLA, a permanency hearing is required every 12 months and an administrative review is held every 6 months for as long as the child remains in the agency's care.

The Statewide Assessment reports that ILS are offered to children ages 15-21 in South Dakota and include the Ansel-Casey life skills assessment, ILS workshops and conferences for youth, financial assistance for youth transitions to independent living, and ILS placement programs to assist youth in their transitions. Services include employment counseling, education, life skills, housing, health, and connections. CPS requires the FSS, youth, placement resource, and other collateral service providers to identify services related to the child's independent living goals. The Statewide Assessment notes that the agency has entered into contracts with private agencies that have hired staff to coordinate and assist young adults ages 15-21 who have been or are currently involved in foster care.

The Statewide Assessment reports that the percentage of children in foster care with a goal of OPPLA has risen from nearly 27 percent in 2001 to 29 percent in 2007.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that the agency or community resource caseworkers arrange ILS for youth with the goal of OPPLA.

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					
	Minnehaha County	Pennington County	Yankton County	Total	Percent
Substantially Achieved	15	9	8	32	80.0
Partially Achieved	4	1	3	8	20.0
Not Achieved	0	0	0	0	0
Total Foster Care Cases	19	10	11	40	

Status of Permanency Outcome 2

South Dakota is not in substantial conformity with Permanency Outcome 2. The outcome was determined to be substantially achieved in 80.0 percent of cases, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 90 percent of Pennington County cases, 79 percent of Minnehaha County cases, and 73 percent of Yankton County cases.

Key Concerns From the 2001 CFSR

The State was not in substantial conformity with Permanency Outcome 2 in the 2001 CFSR. The key concern identified at that time was that the State did not consistently support the preservation of children’s connections to the community (item 14), particularly for Native American children. The State noted that 65 percent of the children in foster care in South Dakota are of Native American heritage.

To address this concern, South Dakota implemented a process designed to improve birth and cultural connections for children. The process trained caseworkers and foster parents to complete a cultural plan for Native American children and children of other cultures that is supported and monitored through the foster care parent monthly reporting process.

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

Key Findings of the 2008 CFSR

The findings of the onsite 2008 CFSR pertaining to the specific items assessed under Permanency Outcome 2 are presented below.

Item 11. Proximity of foster care placement

Strength Area Needing Improvement

Case Review Findings

Item 11 was applicable for 29 (73 percent) of the 40 foster care cases. Cases determined to be not applicable were those in which (1) TPR had been attained prior to the period under review, (2) contact with parents was not considered to be in the child’s best interests, and/or (3) parents were deceased or whereabouts were unknown. In assessing item 11, 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 presented in the table below.

Item 11	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	14	8	7	29	100
Area Needing Improvement	0	0	0	0	0
Total Applicable Foster Care Cases	14	8	7	29	
Not Applicable Foster Care Cases	5	2	4	11	
Total Foster Care Cases	19	10	11	40	

Item 11 was rated as a Strength in 100 percent of cases reviewed in all three counties.

This item was rated as a Strength when reviewers determined the following:

- The child was placed in the same community or county as their parents or that the child’s placement was not in the same community or county but was still in close proximity to parents (21 cases).
- The child’s placement was not in close proximity to the parents but the placement was necessary to meet the child’s needs (eight cases). For example, in two cases the child was placed at a distance from the parents to accommodate ICWA placement preferences.

Rating Determination

Item 11 was assigned an overall rating of Strength. In 100 percent of the cases, reviewers determined that CPS placed children in foster care placements that were in close proximity to their parents' or relatives' homes or that met their special needs. 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, CPS prepares the Child Assessment Case Plan in an effort to place the child in close proximity to the parent's home, or if that is not possible, to explain why. The Statewide Assessment notes that caseworkers make placement decisions based on a number of factors, including proximity to the birth parents, the needs of the child, and kinship resources. The Statewide Assessment notes that in July 2006, South Dakota added a higher level of care, Intensive Residential Treatment Centers, in an effort to bring children back to the State who had been placed out of State due to the level of care required to meet their needs.

The Statewide Assessment reports that, according to an annual CPS QA review, 95 percent of the cases reviewed in 2007 showed that children were either in close proximity to their families or that there was a justification for placing the child at a greater distance. The Statewide Assessment acknowledges that barriers to the successful placement of children in close proximity to their parents include a lack of foster care providers in certain areas and a lack of placement resources to meet the needs of children with special needs.

Stakeholder Interview Information

During the onsite CFSR, stakeholders interviewed did not comment on this item.

Item 12. Placement with siblings

Strength Area Needing Improvement

Case Review Findings

Item 12 was applicable for 21 (53 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	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	10	6	3	19	90
Area Needing Improvement	0	1	1	2	10
Total Applicable Foster Care Cases	10	7	4	21	
Not Applicable Foster Care Cases	9	3	7	19	
Total Foster Care Cases	19	10	11	40	

Item 12 was rated as a Strength in 100 percent of applicable Minnehaha County cases, 86 percent of applicable Pennington County cases, and 75 percent of applicable Yankton County cases.

Item 12 was rated as a Strength when reviewers determined the following:

- The child was in a placement with all siblings (10 cases).
- The child was not placed with all siblings, but the siblings were separated due to the special needs of one or more of the siblings (nine cases).

Item 12 was rated as an ANI in two cases when reviewers determined that the agency did not made concerted efforts to ensure that siblings were placed together.

Rating Determination

Item 12 was assigned an overall rating of Strength. In 90 percent of the applicable cases, reviewers determined that the agency placed siblings together in foster care whenever possible and appropriate. This percentage is equal to 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, CPS requires that siblings are placed together whenever possible, and that siblings should only be separated if the needs of one child require a different placement resource. The Statewide Assessment notes that, although foster home licensing rules limit the number of children in a foster home to six children, waivers are available to accommodate sibling groups.

The Statewide Assessment reports that, according to an annual CPS QA review, 98 percent of the cases reviewed in 2007 showed that children were either placed with their siblings or that there was a justification for separating the siblings. The Statewide Assessment

reports that an analysis of cases in which siblings were not placed together found that 71 percent were separated due to the behavioral or medical treatment needs of one sibling, and 25 percent were separated because the placement resource could not accommodate all children.

Stakeholder Interview Information

During the onsite CFSSR, some stakeholders commenting on this item expressed the opinion that keeping children in large sibling groups together can be challenging.

Item 13. Visiting with parents and siblings in foster care

Strength Area Needing Improvement

Case Review Findings

Item 13 was applicable for 32 (80 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 be not 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 and (2) whether these visits occurred with sufficient frequency to meet the needs of children and families. The findings of this assessment are presented in the table below.

Item 13	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	12	8	7	27	84
Area Needing Improvement	3	1	1	5	16
Total Applicable Foster Care Cases	15	9	8	32	
Not Applicable Foster Care Cases	4	1	3	8	
Total Foster Care Cases	19	10	11	40	

Item 13 was rated as a Strength in 89 percent of applicable Pennington County cases, 88 percent of applicable Yankton County cases, and 80 percent of applicable Minnehaha County cases.

Item 13 was rated as a Strength when reviewers determined that the frequency and quality of visitation with parents and siblings met the needs of the children or that the agency made concerted efforts to promote more frequent visitation, if appropriate.

Item 13 was rated as an ANI when reviewers determined one or more of the following:

- The agency did not make concerted efforts to promote visitation with the mother (two cases).
- The agency did not make concerted efforts to promote visitation with the father (four cases).

Specific information from the case reviews is presented in the table below. For the cases reviewed, the data suggest that the frequency of visitation for a child and mother was at least monthly in 89 percent of the cases; for a child and father, the frequency of visitation was at least monthly in 57 percent of the cases; and for a child and siblings, the frequency of visitation was at least monthly in 100 percent of the cases.

Typical Frequency of Visitation	Child and Mother	Child and Father	Child and Siblings in Foster Care
Visits occurred on at least a weekly basis	16 (59%)	8 (38%)	3 (30%)
Visits occurred less than weekly but at least twice a month	5 (19%)	1 (5%)	4 (40%)
Visits occurred less than twice a month but at least once a month	3 (11%)	3 (14%)	3 (30%)
Visits occurred less frequently than once a month	2 (7%)	6 (29%)	0
Visits never occurred	1 (4%)	3 (14%)	0
Total Applicable Cases	27	21	10

Rating Determination

Item 13 was assigned an overall rating of ANI. In 84 percent of the applicable cases, reviewers determined that the agency had made concerted efforts to ensure that visitation was of sufficient frequency to meet the needs of the family. This percentage is less than the 90 percent 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, CPS policy supports the visitation of children in foster care with their parents and siblings on a weekly basis, and at a minimum, monthly, to maintain family connections. The Statewide Assessment notes that caseworkers work with paraprofessional Social Services Aides and visitation centers to facilitate visitation among family members. In addition, the Statewide Assessment notes that when siblings are not placed together, weekly contact is to be arranged by CPS to maintain family connections.

The Statewide Assessment reports that, according to an annual CPS QA review, 91 percent of the cases reviewed in 2007 showed that children had appropriate contact with their families. The Statewide Assessment acknowledges that barriers to supporting regular contact for foster children with their families include situations in which children are placed outside the family’s community and resources are not available to provide transportation or placements for the children within the community.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that CPS makes significant efforts to support visitation of children in foster care with parents and siblings by providing transportation and plans for contact.

Item 14. Preserving connections

Strength Area Needing Improvement

Case Review Findings

Item 14 was applicable for all 40 foster care cases. 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, cultural 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	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	18	9	11	38	95
Area Needing Improvement	1	1	0	2	5
Total Foster Care Cases	19	10	11	40	

Item 14 was rated as a Strength in 100 percent of Yankton County cases, 95 percent of Minnehaha County cases, and 90 percent of Pennington County cases.

Item 14 was rated as a Strength when reviewers determined one or more of the following:

- The agency made concerted efforts to preserve the child’s connections with extended family members and siblings not in foster care (29 cases).
- The agency made concerted efforts to preserve the child’s connections with the school, friends, and community (10 cases).
- The agency made concerted efforts to preserve the child’s connections with the child’s religious or cultural heritage (20 cases).
- The agency made concerted efforts to preserve the child’s connections with the child’s Tribal affiliation (12 cases).

Item 14 was rated as an ANI when reviewers determined the following:

- The agency did not facilitate the child’s connections to extended family members and siblings who are not in foster care (one case).
- The agency did not explore the child’s connections (one case).

Rating Determination

Item 14 was assigned an overall rating of Strength. Reviewers determined that in 95 percent of the applicable cases, CPS made concerted efforts to ensure that children in foster care maintained their connections to extended family, communities, schools, and cultural heritage. This percentage is higher than the 90 percent required for a rating of Strength. This item was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CPS provides each child in foster care with the opportunity to create a lifebook regarding the child’s history and experience. In addition, the Statewide Assessment notes that CPS complies with ICWA placement preferences and that CPS provides caseworkers and foster parents with training on cultural connections and Native American culture.

The Statewide Assessment reports that, according to an annual CPS QA review, 96 percent of the cases reviewed in 2007 showed that children maintained community connections.

Stakeholder Interview Information

During the onsite CFSR, some stakeholders commenting on this item expressed the opinion that CPS diligently contacts American Indian Tribes when a child enters foster care.

Item 15. Relative placement

Strength Area Needing Improvement

Case Review Findings

Item 15 was applicable for 34 (85 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	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	14	8	7	29	85
Area Needing Improvement	3	0	2	5	15
Total Applicable Foster Care Cases	17	8	9	34	
Not Applicable Foster Care Cases	2	2	2	6	
Total Foster Care Cases	19	10	11	40	

Item 15 was rated as a Strength in 100 percent of applicable Pennington County cases, 82 percent of applicable Minnehaha County cases, and 78 percent of applicable Yankton County cases.

Item 15 was rated as a Strength when reviewers determined the following:

- The child was placed with relatives (nine cases).
- Despite diligent efforts made by the agency to locate and evaluate relatives, the child was not placed with relatives (18 cases).
- Despite diligent efforts made by the agency to place the child with relatives, the child’s intensive needs ultimately required a more specialized setting (two cases).

Item 15 was rated as an ANI when reviewers determined the following:

- The agency did not make diligent efforts to search for either maternal or paternal relatives (three cases).
- The agency made efforts to search for maternal relatives but did not make efforts to search for paternal relatives (one case).
- The agency made efforts to search for paternal relatives but did not make efforts to search for maternal relatives (one case).

Rating Determination

Item 15 was assigned an overall rating of ANI. In 85 percent of the cases, reviewers determined that the agency had made diligent efforts to locate and assess relatives as potential placement resources. This percentage is less than the 90 percent 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, South Dakota supports the traditional practice in Native American cultures of relatives parenting children when birth parents are unable to do so. The Statewide Assessment notes that caseworkers must conduct a diligent search for relative resources when children enter foster care and conduct home studies and background checks on any appropriate relative identified as a possible placement resource. In addition, the Statewide Assessment notes that CPS provides monetary support to kinship placement resources both as foster families and guardianships.

The Statewide Assessment reports that, according to an annual CPS QA review, 93 percent of the cases reviewed in 2007 showed that children were either placed with relatives or that a diligent search for relatives did not reveal a placement resource. The Statewide Assessment reports that 41.5 percent of the adoptions finalized in 2007 were relative adoptions.

The Statewide Assessment notes that a December 2007 survey of cases found that 75 percent of the relatives located for children in placement were not an appropriate placement resource for the child due to an inability to meet the needs of the child. In addition, the Statewide Assessment notes that CPS has limited resources to conduct relative searches and to support relative placements outside the child’s community.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that relative search techniques have improved resulting in an increase in relative placements, both for Native American children and children in the general population.

Item 16. Relationship of child in care with parents

Strength Area Needing Improvement

Case Review Findings

Item 16 was applicable for 29 (72.5 percent) of the 40 foster care cases. A case was 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	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	9	7	5	21	72
Area Needing Improvement	5	1	2	8	28
Total Applicable Foster Care Cases	14	8	7	29	
Not Applicable Foster Care Cases	5	2	4	11	
Total Foster Care Cases	19	10	11	40	

Item 16 was rated as a Strength in 88 percent of applicable Pennington County cases, 71 percent of applicable Yankton County cases, and 64 percent of applicable Minnehaha 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. Examples of CPS efforts to promote bonding between the child and parents included the following: promoting family therapy and modeling, supporting visitation with supervision and suggested activities, encouraging the parents' participation in school activities and extracurricular activities, encouraging and facilitating the parents' participation in the child's medical care, providing or arranging for transportation to facilitate visitation, and facilitating contact with incarcerated parent.

Item 16 was rated as an ANI when reviewers determined the following:

- The agency did not make concerted efforts to support positive relationships with the mother and father (one case).
- The agency did not make concerted efforts to support the relationship with the child's father (five cases).
- The agency did not make concerted efforts to support the relationship with the child's mother (two cases).

Rating Determination

Item 16 was assigned an overall rating of ANI. In 72 percent of the cases, reviewers determined that the agency had made concerted efforts to support the parent-child relationships of children in foster care. This percentage is less than the 90 percent 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, CPS provides an opportunity for children in foster care to have contact with their families at least weekly. The Statewide Assessment notes that parents are encouraged to attend extracurricular and community activities with their children.

The Statewide Assessment reports that, according to an annual CPS QA review, 87 percent of the cases reviewed in 2007 showed that children had appropriate contact with their parents while in foster care.

Stakeholder Interview Information

During the onsite CFSR, some stakeholders commenting on this item expressed the opinion that CPS promotes visitation for incarcerated parents when it is appropriate.

III. CHILD AND FAMILY WELL-BEING

Well-Being Outcome 1

Outcome WB1: Families have enhanced capacity to provide for their children’s needs					
Number of cases reviewed by the team according to degree of outcome achievement					
	Minnehaha County	Pennington County	Yankton County	Total	Percent
Substantially Achieved	17	14	10	41	63.1
Partially Achieved	13	2	2	17	26.2
Not Achieved or Addressed	3	1	3	7	10.8
Total Cases	33	17	15	65	

Status of Well-Being Outcome 1

South Dakota is not in substantial conformity with Well-Being Outcome 1. The outcome was determined to be substantially achieved in 63.1 percent of cases reviewed, which is less than the 95 percent required for a determination of substantial conformity. The outcome was substantially achieved in 82 percent of Pennington County cases, 67 percent of Yankton County cases, and 52 percent of Minnehaha County cases. The outcome was substantially achieved in 75 percent (30 cases) of the 40 foster care cases and 44 percent (11 cases) of the 25 in-home services cases.

Key Concerns From the 2001 CFSR

The State was not in substantial conformity with Well-Being Outcome 1 in the 2001 CFSR. The following key concerns were identified at that time with regard to the enhanced capacity of families to provide for their children’s needs:

- The State did not consistently assess needs and provide services for children, parents, and foster parents primarily due to the lack of sufficient attention paid to the service needs of children in in-home cases and the service needs of biological parents in foster care cases.
- The State did not consistently facilitate the involvement of children and families in case planning and prepared case plans for the parents’ signature into which parents had little or no input.
- The State did not maintain sufficiently frequent contact with children placed outside their home region and in in-home cases.

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

- The State created a standardized and continual assessment, planning, and evaluation process that focuses on family and children’s needs related to threats to safety and risk assessment. The assessment process identified and addressed the needs of families within treatment plans and assessed progress in fulfilling needs throughout treatment service provision.
- The State enhanced communication between staff and foster parents by (1) assuring consistent and routine interaction and (2) maintaining a focus on children’s needs assessments.
- The State increased and improved family involvement during assessment of need, treatment planning, and case progress.
- The State implemented a case review system as a part of the PCA to assess and monitor the appropriateness of service provision throughout the life of the case.

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

Key Findings of the 2008 CFSR

The findings of the onsite 2008 CFSR pertaining to the specific items assessed under Well-Being Outcome 1 are presented below.

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

___ Strength X Area Needing Improvement

Case Review Findings

Item 17 was applicable for all 65 cases. In assessing this item, reviewers were to determine whether the agency had adequately assessed the needs of children, parents, and foster parents and 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 issues are addressed in later items. The results of this assessment are provided in the table below.

Item 17	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	17	14	10	41	63
Area Needing Improvement	16	3	5	24	37
Total Cases	33	17	15	65	

Item 17 was rated as a Strength in 82 percent of Pennington County cases, 67 percent of Yankton County cases, and 52 percent of Minnehaha County cases. The item was rated as a Strength in 75 percent of foster care cases (30 cases) and 44 percent of in-home services cases (11 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 there were inadequate services provided to meet identified needs. Specific information from the case reviews is presented in the table below.

Assessment of Needs and Services				
	Foster Care Cases		In-Home Cases	
	Yes	Total Applicable	Yes	Total Applicable
Mother's needs assessed and met	24 (89%)	27	17 (71%)	24
Father's needs assessed and met	17 (74%)	23	10 (43%)	23
Child's needs assessed and met	38 (95%)	40	23 (92%)	25
Foster parents' needs assessed and met	30 (97%)	31		

Rating Determination

Item 17 was assigned an overall rating of ANI. In 63 percent of the cases, reviewers determined that the State had adequately assessed and addressed the service needs of children and parents. This percentage is less than the 90 percent 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, the IFA collects and documents information related to safety and parenting in order to develop the PCA case plan for ongoing services for both in-home and foster care cases. The Statewide Assessment notes that case plans are evaluated at a minimum of every 90 days to ensure ongoing assessment of parental protective capacities and reevaluation of the services needed to resolve any safety concerns. In addition, the Statewide Assessment notes that a separate Child Assessment Case Plan is developed for children in foster care and is evaluated initially at 6 months and every 90 days thereafter. The Statewide Assessment notes that, for children receiving in-home services, children's needs are assessed and addressed as a part of the PCA.

In addition, the Statewide Assessment reports that a survey of foster parents showed that 86 percent agreed that Family Services Specialists provide them with the support they need, and 83.5 percent agreed that the child's case plan meets the individual needs of each child. According to the Statewide Assessment, placement resources and foster families provide CPS with a monthly report that identifies needs and services provided to the child or foster family and that forms the basis for monthly visits with caseworkers.

The Statewide Assessment reports that, according to an annual CPS QA review, 85 percent of the cases reviewed in 2007 showed that the needs of children, parents, and foster parents were appropriately assessed and addressed. The Statewide Assessment acknowledges that barriers to the assessment of needs and provision of services for children, parents and foster parents include:

- High staff turnover and resulting high caseloads
- Lack of support from the courts for behavior-based interventions
- Lack of service providers in many areas of the State
- Lack of medical, behavioral, and dental providers who will accept Medicaid
- Shortage of foster homes available for children with behavioral and emotional needs
- Lack of residential treatment facilities in close proximity to children’s families

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that individual needs are assessed for parents and children and that flexible support is available to meet the needs of families providing services ranging from transportation and school uniforms to intensive residential and drug treatment. Some stakeholders noted that caseworkers are attentive to the needs of foster parents, but there is a lack of respite care available.

Item 18. Child and family involvement in case planning

___ Strength X Area Needing Improvement

Case Review Findings

Item 18 was applicable for 62 (95 percent) of the 65 cases. A case was not applicable if parental rights had been terminated prior to the period under review, parents were not involved with the child in any way, and the child was too young or 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 (if age appropriate) had been involved in case planning 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. Findings from this assessment are presented in the table below.

Item 18	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	18	12	10	40	65
Area Needing Improvement	14	4	4	22	35
Total Applicable Cases	32	16	14	62	
Not Applicable Cases	1	1	1	3	
Total Cases	33	17	15	65	

Item 18 was rated as a Strength in 75 percent of applicable Pennington County cases, 71 percent of applicable Yankton County cases, and 56 percent of applicable Minnehaha County cases. The item was rated as a Strength in 73 percent (27 cases) of the 37 applicable foster care cases and 52 percent (13 cases) of the 25 in-home services cases.

Item 18 was rated as a Strength when reviewers determined that all appropriate parties had actively participated in case planning or that the agency had made concerted efforts to involve them in the case planning. 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 age appropriate) in the case planning process.

Specific information from the case reviews is presented in the table below. The data indicated that mothers were more likely to be involved in case planning than fathers.

Families Involved in Case Planning		
Family Member	Involved	Total Applicable
Mother	46 (90%)	51
Father	30 (64%)	47
Child	30 (83%)	36

Rating Determination

Item 18 was assigned an overall rating of ANI. In 65 percent of the applicable cases, reviewers determined that the agency had made diligent efforts to involve parents and/or children, when appropriate, in the case planning process. This percentage is less than the 90 percent 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, the PCA provides CPS with an ongoing process to engage families in case planning. The Statewide Assessment notes that children are involved in case planning when it is developmentally appropriate. The Statewide Assessment also notes that caseworkers make efforts to engage noncustodial parents and encourage the development of relationships among family members. Additionally, the Statewide Assessment reports that a CRP works with youth approaching 17 years of age to jointly develop the youths’ goals for transitioning to independence.

The Statewide Assessment reports that, according to an annual CPS QA review, 81 percent of the cases reviewed in 2007 showed that children and families were appropriately involved in case planning. The Statewide Assessment reports that a survey of youth involvement in case planning showed that 80 percent of the youth reported that they were involved in their case planning. The Statewide Assessment acknowledges that the remote placements for some children inhibit their ability to be involved in case planning.

In addition, the Statewide Assessment notes that CPS has developed a statement in the PCA that allows for parents to sign the case plan but disagree with the content.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that CPS engages families in case planning effectively using the IFA as a basis for building on a family’s strengths.

Additional information on stakeholder perceptions of the case planning process is provided under item 25 in the Systemic Factors section of the report.

Item 19. Caseworker visits with child

___ Strength X Area Needing Improvement

Case Review Findings

Item 19 was applicable for all 65 cases. In conducting the assessment of this item, reviewers were to determine 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	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	30	16	12	58	89
Area Needing Improvement	3	1	3	7	11
Total Cases	33	17	15	65	

Item 19 was rated as a Strength in 94 percent of Pennington County cases, 91 percent of Minnehaha County cases, and 80 percent of Yankton County cases. The item was rated as a Strength in 98 percent (39 cases) of foster care cases and 76 percent (19 cases) of 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 when reviewers determined that the frequency of caseworker visits was not sufficient to meet the needs of the child, and/or the visits did not focus on issues pertinent to case planning, service delivery, and goal attainment.

Specific information from the case reviews is presented in the table below.

Typical Frequency of Caseworker Visits with Child	Foster Care Cases	In-Home Services Cases
Visits occurred on at least a weekly basis	3 (7.5%)	3 (12%)
Visits occurred less than weekly but at least twice a month	7 (17.5%)	7 (28%)
Visits occurred less than twice a month but at least once a month	29 (72.5%)	13 (52%)
Visits occurred less frequently than once a month	1 (2.5%)	2 (8%)
Visits never occurred	0	0
Total Cases	40	25

Rating Determination

Item 19 was assigned an overall rating of ANI. In 89 percent of the cases, reviewers determined that caseworker visits with children were of sufficient frequency and quality. This percentage is slightly less than the 90 percent 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, CPS requires caseworkers to have monthly contact with children in foster care or those receiving in-home services to address well-being, medical and educational assessments, concurrent planning, visitation plans for parents with their children, and maintain connections. Similarly, for children placed out of State in compliance with the Interstate Compact on the Placement of Children (ICPC), CPS requires that the child receive a visit from a caseworker monthly.

The Statewide Assessment reports that, according to an annual CPS QA review, 87 percent of the cases reviewed in 2007 showed that caseworkers met with children on a monthly basis. The Statewide Assessment acknowledges that barriers to regular caseworker visits include high caseloads and staff turnover, and a lack of placement resources in many areas of the State. In addition, the Statewide Assessment notes that the documentation of visits may not be properly captured in the State’s automated information system and that the State is working to fix this data problem.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that caseworkers visit routinely with children to assess safety and to discuss case planning as appropriate.

Item 20. Caseworker visits with parents

 Strength X Area Needing Improvement

Case Review Findings

Item 20 was applicable for 54 (83 percent) of the 65 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. All cases that were not applicable were foster care cases. 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 this assessment are presented in the table below.

Item 20	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	16	12	6	34	63
Area Needing Improvement	12	3	5	20	37
Total Applicable Cases	28	15	11	54	
Not Applicable Cases	5	2	4	11	
Total Cases	33	17	15	65	

Item 20 was rated as a Strength in 80 percent of applicable Pennington County cases, 57 percent of applicable Minnehaha County cases, and 55 percent of applicable Yankton County cases. The item was rated as a Strength in 72 percent (21 cases) of the 29 applicable foster care cases and 52 percent (13 cases) of the 25 in-home 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:

- Visits with the father were not of sufficient frequency (18 cases).
- Visits with the mother were not of sufficient frequency (seven cases).
- Visits with the father were not of sufficient quality (eight cases).
- Visits with the mother were not of sufficient quality (three cases).

Specific information from the case reviews is presented in the table below.

Typical Frequency of Caseworker Visits with Parents	Foster Care Cases		In-Home Services Cases	
	Mother	Father	Mother	Father
Visits occurred on at least a weekly basis	5 (19%)	2 (9%)	2 (8%)	2 (9%)
Visits occurred less than weekly but at least twice a month	6 (23%)	2 (9%)	8 (33%)	2 (9%)
Visits occurred less than twice a month but at least once a month	11 (42%)	3 (14%)	11 (46%)	5 (23%)
Visits occurred less frequently than once a month	1 (4%)	9 (41%)	2 (8%)	9 (41%)
There were no visits during the period under review	3 (12%)	6 (27%)	1 (4%)	4 (18%)
Total Applicable Cases	26	22	24	22

Rating Determination

Item 20 was assigned an overall rating of ANI. In 63 percent of the applicable cases, reviewers determined that the frequency and quality of caseworker visits with parents were sufficient to monitor the safety and well-being of the child or promote attainment of case goals. This percentage is less than the 90 percent 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, the PCA includes a requirement for monthly caseworker visits with parents and requires caseworkers to conduct searches for noncustodial parents.

The Statewide Assessment reports that, according to an annual CPS QA review, 87 percent of the cases reviewed in 2007 showed that caseworkers met with parents monthly. The Statewide Assessment acknowledges that barriers to meeting monthly with parents include high caseloads and staff turnover. In addition, the Statewide Assessment notes that in many remote areas of the State, families have no means of transportation or communication and that caseworkers cannot, therefore, complete visits monthly due to agency resource limitations.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that CPS conducts visitation with incarcerated parents when possible.

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					
	Minnehaha County	Pennington County	Yankton County	Total	Percent
Substantially Achieved	18	10	10	38	97.4
Not Achieved	0	0	1	1	2.6
Total Applicable Cases	18	10	11	39	
Not Applicable Cases	15	7	4	26	
Total Cases	33	17	15	65	

Status of Well-Being Outcome 2

South Dakota is in substantial conformity with Well-Being Outcome 2. The outcome was determined to be substantially achieved in 97.4 percent of applicable cases, which is higher than the 95 percent required for substantial conformity. The outcome was substantially achieved in 100 percent of applicable Minnehaha and Pennington County cases, and 91 percent of applicable Yankton County cases. The outcome was substantially achieved in 100 percent of the 33 applicable foster care cases and 83 percent (5 cases) of the 6 applicable in-home services cases.

Key Concerns From the 2001 CFSR

The State was not in substantial conformity with Well-Being Outcome 2 in the 2001 CFSR because item 21 (education needs) was rated as an ANI. The following key concerns were identified at that time with regard to meeting the educational needs of children:

- Foster parents were not given educational records or information about a child’s educational history at the time of placement.
- In in-home cases, children’s school-related problems were not addressed although they were identified as an issue by someone involved in the case.
- Educational needs were not included in the case plans for children in foster care or in in-home cases where obvious education-related problems were identified, such as grade-level delay and poor school performance.

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

- Increased the percentage of foster care cases in which the child’s educational needs were included in the out-of-home services agreement
- Conducted outcome management reviews and case reviews to determine whether educational needs were being assessed and addressed

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

Key Findings of the 2008 CFSR

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

Item 21. Educational needs of the child

 X Strength Area Needing Improvement

Case Review Findings

Item 21 was applicable for 39 (60 percent) of the 65 cases reviewed. Cases were not applicable if either 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 services were provided to meet those needs. The results of this assessment are provided below.

Item 21	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	18	10	10	38	97
Area Needing Improvement	0	0	1	1	3
Total Applicable Cases	18	10	11	39	
Not Applicable Cases	15	7	4	26	
Total Cases	33	17	15	65	

Item 21 was rated as a Strength in 100 percent of applicable Minnehaha and Pennington County cases, and 91 percent of applicable Yankton County cases. The item was rated as a Strength in 100 percent of the 33 applicable foster care cases and 83 percent (5 cases) of the 6 applicable in-home services cases.

Item 21 was rated as a Strength when reviewers determined one or more of the following:

- The agency assessed the child’s educational needs and maintained contact with the child’s school to monitor the child’s school performance (24 cases).
- The agency assessed the child’s educational needs and ensured that specialized services, tutoring, or an Individual Educational Plan was in place (20 cases).

Item 21 was rated as an ANI in one case in which educational needs were identified and noted in the case record, but the agency did not follow up to ensure that recommended treatment was in place.

Rating Determination

Item 21 was assigned an overall rating of Strength. In 97 percent of the applicable cases, reviewers determined that the agency had made diligent efforts to meet the educational needs of children. This percentage is higher than the 95 percent required for a rating of Strength for this item. A 95-percent standard is set for this item because it is the only item assessed for the outcome. This item was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CPS is required to maintain children in their home school districts whenever possible and to maintain school records as a part of the child’s file. The Statewide Assessment notes that the IFA assesses the educational needs of children in foster care and those receiving in-home services.

The Statewide Assessment reports that, according to an annual CPS QA review, 90 percent of the cases reviewed in 2007 showed that children’s educational needs are being met and documented in the case file.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that communication among schools and CPS is open and frequent enough to facilitate service planning.

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					
	Minnehaha County	Pennington County	Yankton County	Total	Percent
Substantially Achieved	23	15	14	52	89.7
Partially Achieved	2	0	0	2	3.4
Not Achieved or Addressed	4	0	0	4	6.9
Total Applicable Cases	29	15	14	58	
Not Applicable Cases	4	2	1	7	
Total Cases	33	17	15	65	

Status of Well-Being Outcome 3

South Dakota is not in substantial conformity with Well-Being Outcome 3. The outcome was determined to be substantially achieved in 89.7 percent of applicable cases, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 100 percent of applicable Pennington and Yankton County cases, and 79 percent of applicable Minnehaha County cases. The outcome was substantially achieved in 98 percent (39 cases) of the 40 foster care cases and 72 percent (13 cases) of the 18 applicable in-home services cases.

Key Concerns From the 2001 CFSR

The State was not in substantial conformity with Well-Being Outcome 3 during the 2001 CFSR because both item 22 (physical and dental health needs) and item 23 (mental health needs) were rated as ANIs. The 2001 CFSR noted the following key findings with respect to the State's ability to meet the physical and mental health needs of children:

The 2001 CFSR found that the State did not consistently provide for the comprehensive physical health needs of children (item 22) for the following reasons:

- There were delays in health assessments for children in foster care.
- Health records were not included in the case file.
- There was a lack of dental services provided.
- There were unaddressed health issues of children in in-home and foster care cases.

The 2001 CFSR found that the State did not consistently provide for the mental health needs of children (item 23) for the following reasons:

- There was a lack of referral for mental health assessments although there were obvious behavioral problems.
- There was a lack of follow-up and service provision where services were recommended.
- There was a lack of appropriate service provision in cases where a high level of service need was indicated.
- There was a lack of mental health assessments in cases of children with a history of multiple placements and chronic abuse and neglect.

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

- The State increased the percentage of foster care cases where the child's physical health needs are included in the out-of-home services agreement.
- The State conducted outcome management reviews and case reviews to determine the extent to which the agency assessed and addressed physical and mental health needs.

- To improve the sharing of information between foster parents and caseworkers regarding children’s status and needs, the State revised the Foster Parent Monthly Reporting Form to ensure that physical and mental health needs are considered.
- The State improved coordination with core service providers including the Alcohol and Drug workgroup, Mental Health Directors, and Divisions of Mental Health.

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

Key Findings of the 2008 CFSR

Findings of the onsite 2008 CFSR pertaining to the specific items assessed under Well-Being Outcome 3 are presented below.

Item 22. Physical health of the child

 X Strength Area Needing Improvement

Case Review Findings

Item 22 was applicable for 45 (69 percent) of the 65 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	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	21	10	12	43	96
Area Needing Improvement	2	0	0	2	4
Total Applicable Cases	23	10	12	45	
Not Applicable Cases	10	7	3	20	
Total Cases	33	17	15	65	

Item 22 was rated as a Strength in 100 percent of applicable Pennington and Yankton County cases, and 91 percent of applicable Minnehaha County cases. The item was rated as a Strength in 100 percent of the 40 foster care cases and 60 percent (3 cases) of the 5 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 two cases when reviewers determined that, despite the notation of medical or dental needs, the agency did not adequately assess or address these needs.

Rating Determination

Item 22 was assigned an overall rating of Strength. In 96 percent of the applicable cases, reviewers determined that the agency was adequately addressing the health needs of children. This percentage is higher than the 90 percent required for a rating of Strength. This item was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CPS policy requires that comprehensive medical exams be completed within 30 days of a child entering foster care, and that children receive annual dental exams and vision screening. The Statewide Assessment notes that the monthly report provided by placement resources helps caseworkers to better track and identify physical health needs and services for children in foster care. Additionally, the Statewide Assessment notes that the PCA case planning process provides for the ongoing evaluation of medical needs for children in foster care.

The Statewide Assessment reports that, according to an annual CPS QA review, 83 percent of the cases reviewed in 2007 showed that children’s medical and dental needs were met and documented in the case file. The Statewide Assessment notes that there is a lack of medical and dental service providers in the State available to accept Medicaid, especially in rural or reservation areas. In addition, the Statewide Assessment notes that caseworkers are sometimes unable to arrange the transportation of children to medical appointments, especially for children in rural or reservation areas of the State. The Statewide Assessment also acknowledges that the IFA used to identify the needs of children receiving in-home services does not always prompt caseworkers to assess children’s physical health needs.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item noted that in Minnehaha County, children are routinely assessed through the Foster Care Clinic as they enter foster care. Some stakeholders also noted that medical care is generally available, but dental care is not always available.

Item 23. Mental health of the child

Strength Area Needing Improvement

Case Review Findings

Item 23 was applicable for 42 (65 percent) of the 65 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 offered or provided. The findings of this assessment are presented in the table below.

Item 23	Minnehaha County	Pennington County	Yankton County	Total	Percent
Strength	12	14	11	37	88
Area Needing Improvement	5	0	0	5	12
Total Applicable Cases	17	14	11	42	
Not Applicable Cases	16	3	4	23	
Total Cases	33	17	15	65	

Item 23 was rated as a Strength in 100 percent of applicable Pennington and Yankton County cases, and 71 percent of applicable Minnehaha County cases. The item was rated as a Strength in 96 percent (25 cases) of the 26 applicable foster care cases and 75 percent (12 cases) of the 16 applicable in-home services 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 when reviewers determined the following:

- Mental health needs were assessed but not properly addressed (one case).
- Mental health needs were neither assessed nor addressed (three cases).
- Mental health needs were not assessed; however, some services were provided (one case).

Ratings Determination

Item 23 was assigned an overall rating of ANI. In 88 percent of the applicable cases, reviewers determined that the agency had made concerted efforts to address the mental health needs of children. This percentage is less than the 90 percent 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, although a mental health screening is available for children over the age of 4 and for those who present a need for mental health services in the IFA, routine screening of every child who enters foster care is not provided. The Statewide Assessment reports that CPS developed a Memorandum of Understanding (MOU) with the Division of Mental Health to improve the quality and reliability of services throughout the State and that, as a result, more community based options, beyond residential treatment centers, are available to children with mental health treatment needs.

The Statewide Assessment reports that, according to an annual CPS QA review, 96 percent of the cases reviewed in 2007 showed that appropriate mental health services were provided to children. The Statewide Assessment notes that mental health services are not

accessible in many parts of the State and that there is a lack of foster homes available to meet the mental health needs of children. In addition, the Statewide Assessment notes that the high turnover of caseworker staff results in an inability to provide ongoing evaluation of children's mental and behavioral health while they are in foster care.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that the community mental health providers are an excellent resource for children and families. However, some stakeholders indicated that there is a lack of mental health services available to children who are not in residential treatment facilities.

SECTION B: SYSTEMIC FACTORS

This section of the CFSR Final Report provides information regarding the State’s substantial conformity with 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 held during the onsite CFSR. It should be noted that ratings for the systemic factors are not based on single comments from an individual stakeholder; however, these comments are included in the report when they provide important insight or clarification regarding the State’s performance on a particular systemic factor.

A score for substantial conformity is established for each systemic factor. Scores of 3 and 4 represent substantial conformity. Scores of 1 and 2 mean that the State is not in substantial conformity with the requirements of that systemic factor. Specifically, a score of 4 is given when all of the Child and Family Services Plan (CFSP) or program requirements are in place and functioning as described in each requirement. A score of 3 is given 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 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 score of 1 indicates that none of the CFSP or program requirements are in place.

Rating the Systemic Factor			
Not in Substantial Conformity		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 regarding the State’s performance on each systemic factor for the State’s first CFSR. 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		Substantial Conformity	
	1	2	3	4X

Status of Statewide Information System

South Dakota is in substantial conformity with the systemic factor of Statewide Information System. The South Dakota Statewide Automated Child Welfare Information System (SACWIS) is called FACIS. South Dakota also was in substantial conformity with this systemic factor in the 2001 CFSR, and therefore the State was not required to address this systemic factor in the PIP.

Key Findings of the 2008 CFSR

Findings of the 2008 CFSR for the specific 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

 X Strength _____ Area Needing Improvement

Item 24 is rated as a Strength because FACIS enables managers and staff to document the status, demographic characteristics, placement location, and goals for every child in foster care. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, FACIS was implemented in 2002 and the State participated in a SACWIS review in 2003. The Statewide Assessment reports that FACIS identifies the status, demographic characteristics, location, and goals for every child from intake through substantiation to services, foster care, and adoption. In addition, the Statewide Assessment reports that FACIS is used by Tribal programs to capture data for Native American children.

The Statewide Assessment notes that FACIS provides regular data and outcome reports for caseworkers and management to monitor compliance with State requirements. The Statewide Assessment also notes that all users, with the exception of clerical and intake staff,

have been provided with tablet PCs to facilitate documentation while caseworkers are in the field. The Statewide Assessment reports that hands-on and online training is provided to all users initially and on an ongoing basis to ensure that all users are familiar with changes and enhancements to the system.

The Statewide Assessment indicates that FACIS supports intake, investigation, case management, and payment functions. FACIS reports include caseload reports for caseworkers; summary data reports for supervisors; summary data reports for field managers to assist them in monitoring case activities (for parents and children), workloads, and budget expenditures; and status reports to State and Tribal judges.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level reported that the State maintains a statewide information system, FACIS, that tracks demographics and identifying information, histories, and placements for children in foster care. In addition, stakeholders reported that information from FACIS is available as needed to community partners, courts, Indian Child Welfare agencies, and to caseworkers in the field via tablet PCs equipped with aircards. Some stakeholders noted that FACIS provides caseworkers with the ability to share Medicaid information among relevant programs.

Some stakeholders across the sites and at the State level reported that FACIS is responsive to the needs of caseworkers, is updated frequently in response to caseworker needs, provides timely prompts to caseworkers for key events, and provides management reports for compliance and continuous improvement. In addition, some stakeholders reported that FACIS is easy to use and is an indispensable tool for caseworkers and managers.

II. CASE REVIEW SYSTEM

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

Status of Case Review System

South Dakota is not in substantial conformity with the systemic factor of Case Review System.

Key Concerns From the 2001 CFSR

South Dakota also was not in substantial conformity with this systemic factor in its 2001 CFSR, and therefore was required to address this systemic factor in the PIP. Item 25 (written case plan), item 26 (periodic review), item 28 (TPR), and item 29 (notification to foster parents, pre-adoptive parents, and relative caregivers of hearings) were rated as ANIs. Key concerns identified at that time were the following:

- The State did not have a process to provide written case plans for each child in foster care that were jointly developed with the parents (item 25).
- The State did not have a process to provide for the periodic review of foster care cases at least once every 6 months (item 26).
- The State did not have a process to provide for filing petitions for TPR within the required timeframes (item 28).
- The State did not have a process to provide notification to a child’s caregivers of hearings (item 29).

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

- Trained staff to focus on the involvement of parents and families in case planning
- Trained supervisors to coach staff and promote the involvement of parents and families in case planning
- Assessed the extent of the involvement of parents and families in the development of case plans
- Improved effectiveness of 6-month reviews to facilitate timely permanency for children
- Developed a process to determine the status of children in foster care 15 of the last 22 months without TPR
- Established a process with the State court system to increase compliance with TPR requirements
- Worked with the courts to allow foster parents, pre-adoptive parents, and relatives to be heard at review hearings

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

Key Findings of the 2008 CFSR

Findings of the 2008 CFSR with regard to the specific items assessed for 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 X Area Needing Improvement

Item 25 is rated as an ANI because, although case plans are developed in a timely manner, parents are not consistently involved in case planning. The Statewide Assessment and Onsite Review show that parents are not always directly involved in the process of

jointly developing a written case plan and that the agency has not exerted sufficient efforts to locate and engage fathers. This item also was rated as an ANI in the State's 2001 CFSR.

Case review findings for item 18 (child and family involvement in case planning) show that this item was rated as a Strength in 65 percent of the applicable cases. This rating was due to the lack of involvement of 36 percent of fathers and 10 percent of mothers.

Statewide Assessment Information

According to the Statewide Assessment, the child's case plan is completed within 60 days of initial placement, reviewed at 6 months, and reviewed every 90 days thereafter, as a part of the child assessment case planning process. The Statewide Assessment reports that for children receiving in-home services, the child's case plan is developed with the family as a part of the IFA and PCA case planning process.

The Statewide Assessment reports that, according to an annual CPS QA review, 85 percent of the cases reviewed in 2007 showed that parents, foster parents, and children were involved in case planning. The Statewide Assessment acknowledges that barriers to the involvement of parents in case planning include:

- High caseworker caseloads
- The inaccessibility of many remote areas of the State, especially during the winter
- The need for extensive training periods for new caseworkers to become familiar with effective methods to engage families
- The difficulties of engaging families who are defensive, angry, and unwilling to participate in case planning

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level expressed the opinion that case plans are routinely developed within 60 days of a child's entry into foster care with input from the parents. However, some stakeholders indicated that there are cases in which parents have not been included in case planning. Some stakeholders expressed the opinion that the PCA process involves families in developing goals for themselves.

In Pennington County, some stakeholders noted that FGDM is used successfully in some cases to promote the involvement of family members in long-term case planning. Some stakeholders in Pennington County also noted that the agency makes concerted efforts to locate noncustodial parents to involve them in case planning.

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

 X Strength Area Needing Improvement

Item 26 is rated as a Strength because the State has developed a process to ensure that periodic reviews are conducted no less frequently than every 6 months, and the State tracks the timeliness of these reviews in FACIS. South Dakota State law requires court review hearings at a minimum of every 6 months. The hearings are effective in reviewing progress toward case goals. This item was rated as an ANI in the State's 2001 CFSR.

Case reviewers noted during the onsite CFSR that foster parents submitted a monthly report to caseworkers that was often included as a part of the court report considered at the child's review hearing.

Statewide Assessment Information

According to the Statewide Assessment, CPS follows State law requiring court review hearings for children in foster care at 6 months, and every 60 days thereafter until adjudication. The Statewide Assessment states that CPS assembles a Permanency Planning Review Team (PPRT) to review cases prior to court hearings and to make recommendations for permanency.

The Statewide Assessment reports that, according to an annual CPS QA review, in 96 percent of the cases reviewed in 2007, a PPRT meeting or court hearing had taken place every 6 months. In addition, the Statewide Assessment reports that a survey of stakeholders showed that a majority felt that the PPRT was effective in helping promote permanency planning for children.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level reported that cases are reviewed by the court at least every 6 months and usually more frequently. For example, stakeholders noted that reviews may be held every 60 days, every 3 months, and every 6 months. Some stakeholders indicated that courts schedule reviews every 60 days for most cases in most jurisdictions. However, for cases of children with the goal of OPPLA, courts schedule reviews every 6 months. Some stakeholders noted that case reviews and PPRTs are meaningful and move the case forward. In addition, some stakeholders in Yankton County reported that PPRTs meet every 6 months to discuss each case and update goals.

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, although State law and policy require that children in foster care receive a court permanency hearing no less than 12 months after initial adjudication and every 12 months thereafter, not all permanency hearings are being held on a timely basis. Delays in the 12-month permanency hearing were attributed, in part, to court delays and continuances related to compliance with ICWA. This item was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CPS policy requires that children may not remain in foster care longer than 12 months unless a court permanency hearing is held to adjudicate the child’s disposition and review permanency. The Statewide Assessment reports that permanency hearings are held for children in foster care every 12 months until permanency is achieved.

The Statewide Assessment notes that FACIS provides management reports listing the number of children in care for various lengths of time to assist staff in tracking the progress of children in foster care toward a permanent situation. The Statewide Assessment acknowledges that barriers to consistently holding permanency hearings for children in foster care include delays in scheduling court hearings, continuances, and delays related to the extra steps required to comply with ICWA.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level reported that the majority of cases are reviewed for permanency in court at or before the time a child has been in foster care for 12 months. Some stakeholders reported that the permanency hearings focus on final disposition and the possibility of reunification or, if that is not possible, the pursuit of another permanent plan for the child. Some stakeholders indicated that courts schedule permanency hearings at 12 months and expect a final disposition of the case before that time. However, some stakeholders indicated that final disposition can be delayed because the court grants permission for ongoing reunification efforts or because there are delays associated with ICWA compliance.

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 X Area Needing Improvement

Item 28 is rated as an ANI because, although the State has policies and procedures that mandate the filing of petitions for TPR in accordance with provisions of ASFA, delays in the petitioning for TPR are common due, in part, to a lack of efforts to locate noncustodial or absent parents. This item also was rated as an ANI in the State’s 2001 CFSR.

Case review findings show that, at the time of the Onsite Review, 92 percent (22 cases) of the 24 cases regarding children who had been in foster care for 15 of the most recent 22 months were in compliance with ASFA requirements regarding TPR.

Statewide Assessment Information

According to the Statewide Assessment, CPS caseworkers are required to file a petition to terminate parental rights when a child has been in foster care for 15 of the most recent 22 months except in the following three circumstances: the child is being cared for by a relative; the case plan documents a compelling reason for determining that filing such a petition would not be in the child’s best interests; or progress toward reunification is being made, but not all of the services necessary have been completed. The Statewide

Assessment notes that FACIS provides regional managers with a quarterly report to monitor the status of children in foster care for 15 of the most recent 22 months, and a similar report is shared with the relevant court.

The Statewide Assessment reports that, according to an annual CPS QA review, 89 percent of the cases reviewed in 2006 and 2007 showed that a petition to terminate parental rights was filed in a timely manner or that compelling reasons for not filing such a petition were documented. The Statewide Assessment also reports that the number of TPR petitions filed was 9 percent higher in 2007 than in 2005 and that the number of children in care 15 of the most recent 22 months was 8 percent less in 2007 than in 2005.

The Statewide Assessment reports that a review of cases identified the following common compelling reasons for not filing a TPR petition:

- The child had a goal of OPPLA, and the goal was appropriate.
- The child was old enough to consent to an adoption, and the child expressed the desire not to be adopted.
- The parents and/or child had continuing treatment needs.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level expressed the opinion that the court considers whether compelling reasons exist not to file a petition of TPR. According to some stakeholders, the most common compelling reasons include the therapeutic needs of the child and the rehabilitative needs of the parents. Some stakeholders noted that TPR petitions are routinely filed on time throughout the State; however, barriers to the timely filing of TPR petitions also were noted, including a lack of efforts to locate noncustodial parents. In addition, some stakeholders in Pennington County indicated that compliance with ICWA notification and placement preferences cause delays in the filing of TPR petitions.

During the period under review, an extensive legal assessment was required to review cases to prevent potential appeals of TPR petitions. This process was reported by stakeholders to cause a significant delay in the filing of TPR petitions. According to State-level stakeholders, the legal assessment was discontinued as of April 2008.

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

 X Strength Area Needing Improvement

Item 29 is rated as a Strength because the State has an effective process to provide foster parents, pre-adoptive parents, and relative caregivers with notification of the hearings and reviews, and of opportunities to be heard in any review or hearing, held with respect to the child. Caregivers may provide input into court proceedings verbally and/or in writing. This item was rated as an ANI in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CPS provides notice by letter to foster, pre-adoptive, and relative caregivers of hearings and reviews, and of opportunities to provide a verbal or written statement for hearings and reviews, for the children in their care.

The Statewide Assessment reports that a survey was conducted in 2007 of 750 foster parents. Eighty-nine percent of the 249 foster parents returning the survey agreed that they had been notified of court hearings regarding the children in their care. The Statewide Assessment notes that foster parent groups indicated that they were uncomfortable presenting testimony in court hearings and, as a result, CPS developed options for foster parents to submit information, including written testimony, to the courts regarding the children in their care.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level expressed the opinion that, for the most part, foster parents are notified by the Family Services Specialist caseworker or the State’s attorney of court hearings and reviews for the children in their care. In addition, some stakeholders noted that foster parents are given opportunities to provide written input for consideration by the court.

III. QUALITY ASSURANCE SYSTEM

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

Status of Quality Assurance System

South Dakota is not in substantial conformity with the systemic factor of Quality Assurance. The State was in substantial conformity with this systemic factor in the State’s 2001 CFSR and therefore was not required to address this systemic factor in its PIP.

Key Findings of the 2008 CFSR

Findings of the 2008 CFSR with regard to the specific items assessed for this systemic factor 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 the State has developed and implemented standards to ensure children in foster care are provided quality services that protect the safety and health of children. Monthly monitoring and revised rule changes allow CPS to conduct ongoing oversight of foster and group homes. In addition, the training and licensing for foster parents, group homes, and residential treatment facilities are effective in ensuring health and safety for children. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the standards for foster homes require safety and reference checks in addition to limits on the number of children accepted. The Statewide Assessment also notes that in January 2008, revised rules became effective in the area of Residential Treatment Centers and Group Care Centers for Minors, including rules related to the use of seclusion and restraint.

According to the Statewide Assessment, in cases of reports involving abuse or neglect in foster homes or group/residential facilities, the State’s attorney is to be consulted regarding the investigation, and an alert is transmitted via FACIS to the Protective Services Program Specialist and Licensing Program Specialist.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level noted that the monthly report prepared by foster parents allows CPS to conduct ongoing oversight, in addition to visits, of foster homes to ensure the safety of children. In addition, some stakeholders noted that the Parent Resources for Information Development and Education (PRIDE) training provided to foster parents includes rules regarding appropriate disciplinary techniques.

Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP 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 an ANI because, although the State has a clearly identifiable QA system based upon the Federal CFSR, findings from that system are not currently shared with program offices to ensure a system of continuous program improvements for all practice areas and outcomes. This item was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, between 100 and 200 cases are randomly selected annually and reviewed by teams for selected CFSR safety, permanency, and well-being outcomes. This annual review results in corrective action measures for affected offices. The Statewide Assessment reports that the case reviews include an office-level exit debriefing with supervisors and caseworkers to enhance caseworker skills. In addition, the Statewide Assessment notes that Regional Managers submit monthly reports on the CFSR outcomes and systemic factors of safety, permanency, and well-being. The Statewide Assessment indicates that a variety of ad hoc surveys with stakeholders are conducted and multidisciplinary teams are formed as needed to improve relationships with caregivers, American Indian Tribes, and the courts.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level noted that cases are randomly pulled and reviewed statewide on several indicators to evaluate practice and safety. Some stakeholders in Yankton County noted that the QA process includes indicators related to permanency and well-being, as well as indicators related to ICWA compliance. Some stakeholders noted that monthly peer case staffing reviews allow caseworkers to learn from one another at the local level. In addition, State-level stakeholders indicated that the State intends to develop a formal QA function to provide ongoing evaluation and continuous improvement in practice.

IV. TRAINING

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

Status of Training

South Dakota is in substantial conformity with the systemic factor of Training. The State also was in substantial conformity with this systemic factor in the 2001 CFSR and therefore was not required to address this systemic factor in its PIP.

Key Findings of the 2008 CFSR

Findings of the 2008 CFSR with regard to the specific items assessed for this systemic factor 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 Area Needing Improvement

Item 32 is rated as a Strength because the State is operating a staff development and training program that supports the goals and objectives in the CFSP. Training is comprehensive and culminates in the demonstration of competencies and the completion of an exam for certification. CPS staff are thoroughly trained and certified prior to assuming a caseload. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State requires new caseworkers and supervisors to complete a total of 160 hours of initial training including the following: 36 hours of IFA training, 38 hours of Permanency and Well-Being training, 32 hours of PCA training, 30 hours of PRIDE training, and 24 hours of FACIS training. The Statewide Assessment also notes that CPS assigns seasoned employees as mentors to new employees to provide on-the-job skills training, guidance, and support.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level reported that initial training for caseworkers consists of PRIDE, core competencies, cultural sensitivity, and technical issues and is delivered by classes, field experience, shadowing, mentor matching, case sharing, and computer-based training. According to some stakeholders, training modules are provided on a rotation every 2 months, allowing a new caseworker to become fully trained over a period of 6 months. Although caseworkers carry a few cases during training, these cases also are still carried by more experienced caseworkers. Caseworkers must complete 6 months of training prior to assuming an independent caseload. Some stakeholders in each site reported that the most valuable training is on-the-job shadowing and case-sharing at the local level. Some stakeholders noted that training culminates in the completion of an exam for certification and is tracked by the Bureau of Personnel. In addition, some stakeholders across the sites and at the State level expressed the opinion that caseworkers are well prepared to perform their jobs: to appear in court, to evaluate safety and the needs of families, and to provide services to families.

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 because, although the State provides ongoing training when there is a new initiative, there is no formal ongoing training requirement for staff and ongoing training is not provided to staff on a consistent basis. This item also was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State offers a variety of ongoing training opportunities for caseworkers and supervisors including community-based training, online training, annual conferences, cultural diversity training, and technology training. The Statewide Assessment notes that there is no restriction on the maximum number of hours per year that staff can attend training. The Statewide Assessment notes that supervisors are required to attend various personnel management training modules within their first year of appointment.

Although the Statewide Assessment does not describe the State's process for tracking ongoing employee training, the Statewide Assessment indicates that CPS conducts an Accountability and Competency Evaluation of each employee during annual performance reviews measuring the effectiveness of training in relation to job performance in order to develop a plan to improve desired employee performance outcomes.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level reported that ongoing training for caseworkers and supervisors is not required. However, some stakeholders noted that ongoing training is provided in small group settings, staff meetings, and functional group team meetings at the local level. In addition, some stakeholders noted that cultural competency training and FACIS update training is offered at the State level and that community partners offer training at the local level in specific areas such as domestic violence, drug effects, kinship care, or ICWA on an ongoing basis. Some stakeholders agreed that training is tracked by the Bureau of Personnel and considered in each employee's annual review of performance. In addition, some stakeholders agreed that workload and financial issues do not present a barrier to attending ongoing training.

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

 X Strength Area Needing Improvement

Item 34 is rated as a Strength because the State provides an effective initial and ongoing training program 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. A minimum of at least 30 hours of orientation training is required before licensing and 6 hours of annual training is required each year thereafter. This item also was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State requires prospective foster and adoptive parents to participate in at least 30 hours of PRIDE orientation training prior to licensing or approval and that foster parents caring for children with special needs must complete 12 hours of additional initial training. The Statewide Assessment notes that the State also requires foster parents to attend 6 hours of

annual training to maintain their licenses. The Statewide Assessment notes that staff of group care facilities must attend 40 hours of annual training, residential care facility staff must attend 50 hours of annual training, and staff of residential treatment facilities caring for children with intensive needs must attend 60 hours of annual training.

In addition, the Statewide Assessment notes that, through a contract with the Children’s Home Society, PRIDE training for foster and adoptive parents is provided as needed and where needed. In order to ensure that all foster and adoptive parents can receive training, the contract allows for transportation assistance and in-home training options. The Statewide Assessment reports that CPS has provided a variety of opportunities to disseminate cultural information, particularly regarding Native American communities, to caregivers throughout the State.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item reported that foster and adoptive parents participate in the same PRIDE training as do new caseworkers. This joint training is designed to promote respect and a sense of connectedness among caseworkers and foster and adoptive parents. Some stakeholders indicated that the training provided is comprehensive and helpful. Further, some stakeholders appreciated participation in the UNITY program provided by Tribes and targeted specifically to Native American families.

V. SERVICE ARRAY

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

Status of Service Array

South Dakota is in substantial conformity with the systemic factor of Service Array.

Key Concerns From the 2001 CFSR

South Dakota was not in substantial conformity with this systemic factor in the 2001 CFSR, and therefore was required to address this systemic factor in the PIP. Item 36 (accessibility of services) and item 37 (individualized services) were rated as ANIs. Key concerns identified at that time were the following:

- Although adequate services were available in certain jurisdictions, there were not enough service options to ensure access for all children and families throughout the State, due in part to the rural nature of the State.
- Key gaps in services at that time included special needs day care, mental health day-treatment services, therapeutic services for adoptive families, multicultural centers, in-home mental health services, residential placements, and transportation assistance.
- Residential treatment facilities did not provide individualized services to meet children’s needs.
- There was a lack of Native American foster homes and culturally appropriate services for immigrant children and families.

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

- Developed strategies to improve the accessibility to services for families receiving in-home and out-of-home care
- Implemented a process to inform staff about appropriate services that address client needs
- Increased availability of placement resources that provide for individualized needs and connections for children
- Improved coordination with core service providers including the Alcohol and Drug workgroup, Mental Health Directors, Division of Mental Health, and domestic violence service providers
- Partnered with the Collaborative Circle to improve coordination and expand resources for Native American families

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

Key Findings of the 2008 CFSR

Findings of the 2008 CFSR with regard to the specific items assessed for this systemic factor 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

 X Strength Area Needing Improvement

Item 35 is rated as a Strength because information in the Statewide Assessment and stakeholder interviews indicates that the State has an array of services that assess the strengths and needs of children and families to determine other services needs and to support the safety, permanency, and well-being of children and families. The State provides services both directly and in partnership with community organizations. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CPS provides a wide array of services directly and by contract agreement with community agencies to assist families and children and to provide localized services in the following programs:

- IFA
- PCA
- Permanency Planning
- FGDM in Rapid City
- Out-of-Home Placement and Placement Supervision
- Special Needs Day Care
- Alcohol and Drug Treatment
- Domestic Violence Services
- Child Care
- Family Support Flexible Funds
- Subsidized Guardianship
- Adoptive Placement, Subsidies, and Post-Adoption Supervision
- Medicaid Covered Services
- Licensing Services
- ILS and Transitional Services

The Statewide Assessment reports that CPS partners with the following organizations to provide services around the State: South Dakota Council of Mental Health, Division of Medical Services, Division of Financial Management, Department of Corrections, Children's Home Society, Sanford Health Parent Aide Program, Casey Family Program's FGDM, Visitation Centers, Common Sense Parenting, Positive Indian Parenting, Responsive Parenting, and Great Plains Psychological Services.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item reported that many services are available statewide. In particular, some stakeholders noted that strong community partnerships have led to a wider array of services, particularly culturally competent services. According to some stakeholders, the following service areas were noted as strong:

- CPS work with incarcerated parents
- Hospital early intervention, the parent aide program, fetal alcohol assessments, and the foster care clinic
- System of care programs for youth and for Native American families
- Improved coordination of Medicaid programs
- ILS

- Drug and alcohol abuse treatment
- Domestic violence shelters and services
- Positive parenting programs targeted to specific communities

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 as an ANI because the services are not consistently accessible in all areas of the State to meet the needs of children and their families. For example, substance abuse treatment and mental health services are not available statewide. This item also was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, South Dakota struggles to provide services in remote areas evenly across a sparsely populated State. The following information was presented in the Statewide Assessment: according to a survey of stakeholders regarding the accessibility of services in their community, 76.5 percent of stakeholders agreed that medical services were available; 66 percent agreed that mental health services were available; 61 percent agreed that substance abuse services were available, 60 percent agreed that parenting education services were available; 58 percent agreed that Zero to Three services were available; and 44.5 percent agreed that transportation services were available. In addition, the Statewide Assessment reports that staff in almost every office surveyed in 2007 said there was a need for additional foster homes.

According to the Statewide Assessment, specific needs relating to the accessibility of services include: foster homes, Native American foster homes, transportation, language interpretation, visitation centers in south central and western areas of the State, counseling services, dental and medical providers, and an increase in the number of caseworkers.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level reported that the vast rural areas present the biggest challenge to the State in the provision of services to children and families. Despite this challenge, some stakeholders noted that a focus on home-based service systems has allowed services to be brought to families in rural areas. In addition, some stakeholders noted that the agency facilitates transportation through various funding streams. Some stakeholders also noted that the use of Internet connections has increased contact among service providers and families in rural areas.

Some stakeholders expressed the opinion that waiting lists for services do not present a barrier to service access in the three counties reviewed; however, gaps in services were noted in the following areas: In Pennington County, drug treatment centers for parents; in Yankton County, therapeutic foster care; and in Minnehaha County, transitional living program, home-based therapy, and language-

specific services for immigrants. Some stakeholders noted that South Dakota continues to experience gaps statewide in the following areas: general foster care placements, respite care, counseling and mental health care, Native American foster homes for Native American children, and transportation.

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

 X Strength Area Needing Improvement

Item 37 is rated as a Strength because information provided by stakeholders indicates that the State consistently uses the IFA to determine the services necessary to meet the unique needs of children and families and that caseworkers develop individualized case plans for service provision. Although the case reviews indicate that in item 17 ratings, parents are not consistently having their needs assessed, particularly in the in-home services cases, the Statewide Assessment and stakeholder interviews suggest that the State has the capacity to individualize services for families through the IFA. This item was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the IFA is designed to tailor a service plan for the unique needs of children and families.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level expressed the opinion that the IFA results in caseworkers developing individualized plans for each family. In addition, some stakeholders noted that case plans are individualized to the specific concerns of the family and written using language that is understandable to the family. Some stakeholders noted that parenting programs are targeted for specific populations, such as the Positive Indian Parenting program and fatherhood programs. Some stakeholders indicated that system of care programs are used for youth and for Native American families to provide comprehensive service delivery to families and children with multiple service needs. Some stakeholders in Pennington County noted that family team meetings facilitate the individualization of case plans so that services provided build on the strengths of the family.

VI. AGENCY RESPONSIVENESS TO THE COMMUNITY

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

Status of Agency Responsiveness to the Community

South Dakota is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. In the 2001 CFSR, South Dakota also was in substantial conformity with this systemic factor and therefore was not required to address this systemic factor in its PIP.

Key Findings of the 2008 CFSR

Findings of the 2008 CFSR with regard to the specific items assessed for 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

Strength Area Needing Improvement

Item 38 is rated as a Strength because the State has been engaged in significant consultation with a variety of stakeholders statewide in the development of goals for the CFSP. The State has demonstrated effective working relationships with Tribes, the youth community, and the foster care community. This item also was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CPS works collaboratively with service providers, foster parent associations, law enforcement, courts, schools, and many other agencies and organizations to improve outcomes for children and families. In particular, the Statewide Assessment notes the intensive collaborative work in which CPS has engaged with nine American Indian Tribes throughout the State that includes joint staff training, ICWA liaison, title IV-E agreements, and the Collaborative Circle for the Well-Being of South Dakota's Native Children.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level indicated that the Court Improvement Coordinator, court representatives, mental health program representatives, and Tribal representatives are involved in reviewing and creating the State's goals for the CFSP. Some stakeholders specifically noted that the Collaborative Circle provides a forum for ongoing consultation with the Tribes throughout the State and that increased communication continues to improve outcomes for Native American children. In addition, some stakeholders in Minnehaha County noted that supervisors sit on community councils facilitating joint goal-setting and collaborative planning.

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

 X Strength Area Needing Improvement

Item 39 is rated as a Strength because the State has submitted Annual Progress and Services Reports (APSRs) to the Regional Office each year reflecting the consistent involvement of stakeholders statewide. This item was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the following groups provide input to CPS in their development of the APSR: Council of Mental Health Directors, Parent Aide Program, Tribal child welfare programs, Sincanju Family Services, the Collaborative Circle, Parenting Partner’s Advisory Workgroup, South Dakota Group Care Association, Children’s Home Society, ILP Workgroup, Systems of Care State Advisory Group, Meth Taskforce, Working Together for Children’s Justice Committee, and CPS staff.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level reported that mental health representatives, ILP representatives, Tribal representatives, and courts have been involved in reviewing the progress of the State’s goals in the 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

 X Strength Area Needing Improvement

Item 40 is rated as a Strength because the State has developed an effective means to coordinate services among Federal programs. The DSS facilities house staff from many of the Federal and State divisions. This co-location of child welfare services alongside Temporary Assistance to Needy Families (TANF), child support, and other services permits easy access and coordination of benefits and services to children and families. Referral services to other agencies are made simpler by the ability to take families “down the hall.” This item was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the South Dakota DSS actively coordinates with the following Federally-supported programs: medical services, TANF, child support, adult and aging services, legal services, developmental disabilities services, mental health services, alcohol and drug treatment services, corrections, Tribes, and the courts. In addition, the Statewide Assessment notes that CPS has an MOU with the Division of Mental Health to improve the quality and reliability of services throughout the State.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item reported that the child welfare caseworkers statewide are co-located with child support, Medicaid, child care, and TANF caseworkers allowing for ongoing coordination of services. In addition, some stakeholders across the sites and at the State level reported that the agency works closely with law enforcement agencies and mental health providers in multidisciplinary teams to ensure the coordination of services to the same population. Some stakeholders in Pennington County reported that DSS has an MOU with Ellsworth Air Force Base that provides for cross training and collaboration. Some stakeholders in Yankton County reported that DSS collaborates with Women, Infants, and Children; Head Start; and developmental disabilities program providers.

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

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

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

South Dakota is in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. In the 2001 CFSR, South Dakota also was in substantial conformity with this systemic factor and therefore was not required to address this systemic factor in its PIP.

Key Findings of the 2008 CFSR

Findings of the 2008 CFSR with regard to the specific items assessed for this systemic factor are presented below.

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

 X Strength Area Needing Improvement

Item 41 is rated as a Strength because standards for foster homes and child care institutions are in accord with national standards. The title IV-E Eligibility Review held in May 2006 indicated that the State’s licensing procedures are in compliance with Federal regulation and State policy. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, caseworkers at the local level are responsible for licensing foster homes and approving adoptive homes with the assistance of a CPS Licensing Program Specialist. The Statewide Assessment notes that a contract with the Children’s Home Society provides for kinship and ICPC home studies. According to the Statewide Assessment, CPS has the authority to establish minimum standards for licensure and adoption approval, based on South Dakota State law. The Statewide Assessment notes that, in addition to training requirements for prospective foster and adoptive families and the staff of child care institutions, CPS conducts background checks, issues and reviews foster home licenses annually and adoption approvals every 3 years.

The Statewide Assessment reports that the standards for foster homes require safety and reference checks in addition to limits on the number of children accepted. The Statewide Assessment notes that in January 2008, revised rules became effective in the area of Residential Treatment Centers and Group Care Centers for Minors including rules related to the use of seclusion and restraint. According to the Statewide Assessment, in cases of reports involving abuse or neglect in foster homes or group/residential facilities, the State’s attorney is to be consulted regarding the investigation, and an alert is transmitted to the Protective Services Program Specialist and Licensing Program Specialist.

In addition, the Statewide Assessment reports that 30 hours of initial training, including PRIDE training, and 6 hours of annual training are required of foster parents. The Statewide Assessment notes that staff of group care facilities must attend 40 hours of annual training, residential care facility staff must attend 50 hours of annual training, and staff of residential treatment facilities caring for children with intensive needs must attend 60 hours of annual training. The Statewide Assessment notes that in 2007, 79 foster families were licensed, and 5 were denied.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item reported that caseworkers at the local level are responsible for licensing placements and that licenses are all up to date. Some stakeholders noted that licensing includes a home study and visit, which is completed again during relicensure.

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 the State has applied the same standards to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds. Standards for foster homes, relative placements, and the various levels of child care facilities are applied equally, and standards for licensure are applied consistently. This item also was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CPS applies licensing standards consistently across the State for foster and adoptive families and facilities. The Statewide Assessment notes that CPS is working with the Collaborative Circle to ensure that recruitment and licensing of Native American homes is culturally appropriate and consistent with State policy.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level reported that, in addition to the licensing of foster and group homes, caseworkers are offering relative caregivers the opportunity to become licensed to increase the amount of support they can offer to children. Some stakeholders noted that Indian Tribes license their own homes and that Tribal licensing standards are generally as rigorous or more rigorous than State standards. Some stakeholders noted that when licenses are provided to relative caregivers or placements on Tribal land, the standards for licensing remain the same.

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

 X Strength Area Needing Improvement

Item 43 is rated as a Strength because the State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements. In addition, there are no significant delays in completing the fingerprinting process. This item also was rated as a Strength in the State's 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State requires criminal background checks and FBI fingerprint screening for all adults in a prospective foster or adoptive home, and for all staff in residential treatment facilities. The Statewide Assessment reports that CPS can query the Unified Judicial System to check criminal backgrounds directly. The Statewide Assessment also reports that a sample of family foster home, adoptive home, and personnel records are reviewed at the time of annual licensing reviews to ensure compliance with criminal record check requirements. The Statewide Assessment notes that South Dakota passed the last two title IV-E reviews including a review of licensed foster parents. In addition, the Statewide Assessment notes that there has been cooperation with local and State law enforcement agencies in developing the criminal record check process and completing the required checks in a timely manner.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level indicated that background checks, including fingerprinting, are routinely conducted for adults living in prospective State or Tribal-licensed foster and adoptive homes or child placement facilities.

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 foster and adoptive homes are needed

 Strength X Area Needing Improvement

Item 44 is rated as an ANI because, although the State has recruited and increased its Native American foster care homes to 11 percent of its total foster care homes, this percentage is insufficient to meet the need, and the State has not presented a comprehensive plan to recruit more Native American foster homes. Native American children comprise 62 percent of the child welfare population and therefore a much greater number of Native American foster homes are necessary to meet this need. This item also was rated as an ANI in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State focuses on the following strategies to recruit potential foster and adoptive resources for children in foster care: media, special events, posters, brochures, and localized efforts. The Statewide Assessment notes that the Children’s Home Society, Rural Adoption Cooperative, Casey Family Programs, and AdoptUsKids have all developed specific strategies to increase the number of foster and adoptive home resources in South Dakota.

The Statewide Assessment reports that the Collaborative Circle developed targeted strategies and materials for the recruitment of Native American families. However, the Statewide Assessment notes that the percentage of Native American foster and adoptive placement resources has remained relatively stable over the past several years at 11 percent. The Statewide Assessment reports that the U.S. Census Bureau estimates that as of July 1, 2006, 9.2 percent of the population of South Dakota is Native American. The Statewide Assessment notes that 62 percent of the children in foster care in the State are of Native American heritage.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level reported that there is a lack of Native American foster homes to serve the population of Native American children in foster care and to comply with ICWA preferences. However, several stakeholders reported that the number of licensed Native American foster homes is increasing and that the number of Native American children placed with relatives is increasing. Some stakeholders in Pennington County indicated that the Collaborative Circle addresses the need for Native American foster families by conducting recruitment at community events, and some stakeholders in Yankton County indicated that the Tribes hold numerous recruitment events on the reservations.

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

 X Strength Area Needing Improvement

Item 45 is rated as a Strength because the State has policies and procedures in place to effectively use intra-State and inter-State resources for waiting children. Policies and procedures have been established to engage major national and regional networks to identify families outside of South Dakota. This item also was rated as a Strength in the State’s 2001 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CPS works diligently to find adoptive families with strengths to meet the individual needs of children, both within South Dakota and, when that is not possible, out of State. The Statewide Assessment notes that CPS shares information on children waiting for adoption or permanent placement with AdoptUsKids and on the Colorado Adoption Exchange website. In addition, the Statewide Assessment notes that South Dakota works with Wendy’s Wonderful Kids to find families for children who are waiting for permanency. The Statewide Assessment reports that for 2002-2007, 65 percent of all finalized adoptions were by foster families, and 22 percent were by relatives. Additionally, the Statewide Assessment reports that 12 children were adopted out of State in the past year, and eight of them went to relatives.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item reported inconsistent information regarding the ease with which children can be placed in other States using the ICPC process: stakeholders indicated that the ICPC process presents lengthy barriers to placement for some children, while for others ICPC was not a barrier to placement. Some stakeholders across the sites and at the State level noted that DSS works with Wendy’s Wonderful Kids and AdoptUsKids to promote placement for children who need permanency.