



Child and Family Services Reviews

New York

Final Report

2016



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR
CHILDREN & FAMILIES
Administration on Children, Youth and Families
Children's Bureau

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Final Report: New York Child and Family Services Review

INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the state of New York. The CFSRs enable the Children's Bureau to: (1) ensure conformity with certain federal child welfare requirements; (2) determine what is actually happening to children and families as they are engaged in child welfare services; and (3) assist states in enhancing their capacity to help children and families achieve positive outcomes. Federal law and regulations authorize the Children's Bureau, within the U.S. Department of Health and Human Services' Administration for Children and Families, to administer the review of child and family services programs under titles IV-B and IV-E of the Social Security Act. The CFSRs are structured to help states identify strengths and areas needing improvement in their child welfare practices and programs as well as institute systemic changes that will improve child and family outcomes.

The findings for New York are based on:

- The statewide assessment prepared by the New York State Office of Children and Family Services and submitted to the Children's Bureau on April 13, 2016. The statewide assessment is the state's analysis of its performance on outcomes, and the functioning of systemic factors in relation to title IV-B and IV-E requirements and the title IV-B Child and Family Services Plan.
- The results of case reviews of 64 cases (40 foster care and 24 in-home cases) conducted via a Traditional Review process in New York City, and Monroe and Rensselaer counties, New York, during the week of June 12, 2016.
- Interviews and focus groups with state stakeholders and partners, which included:
 - Attorneys representing agency
 - Attorneys representing children and youth
 - Attorneys representing parents
 - Child welfare agency senior managers, including the commissioner, associate and deputy commissioners, and regional and county directors
 - Child welfare supervisors and caseworkers
 - Foster and adoptive parents
 - Interstate Compact on the Placement of Children staff
 - Judges
 - Private agency directors
 - Tribal representatives
 - Youth served by the agency

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In Round 3, the Children's Bureau suspended the use of the state's performance on national standards for the 7 statewide data indicators in conformity decisions. For contextual information, Appendix A of this report shows the state's performance on the 7 data indicators. Moving forward, the Children's Bureau will refer to the national standards as "national performance." This national performance represents the performance of the nation on the statewide data indicators for an earlier point in time. For the time periods used to calculate the national performance for each indicator, see 80 Fed. Reg. 27263 (May 13, 2015).

Background Information

The Round 3 CF SR assesses state performance with regard to substantial conformity with 7 child and family outcomes and 7 systemic factors. Each outcome incorporates 1 or more of the 18 items included in the case review, and each item is rated as a Strength or Area Needing Improvement based on an evaluation of certain child welfare practices and processes in the cases reviewed in the state. With two exceptions, an item is assigned an overall rating of Strength if 90% or more of the applicable cases reviewed were rated as a Strength. Because Item 1 is the only item for Safety Outcome 1 and Item 16 is the only item for Well-Being Outcome 2, the requirement of a 95% Strength rating applies to those items. For a state to be in substantial conformity with a particular outcome, 95% or more of the cases reviewed must be rated as having substantially achieved the outcome.

Eighteen items are considered in assessing the state's substantial conformity with the 7 systemic factors. Each item reflects a key federal program requirement relevant to the Child and Family Services Plan (CFSP) for that systemic factor. An item is rated as a Strength or an Area Needing Improvement based on how well the item-specific requirement is functioning. A determination of the rating is based on information provided by the state to demonstrate the functioning of the systemic factor in the statewide assessment and, as needed, from interviews with stakeholders and partners. For a state to be in substantial conformity with the systemic factors, no more than 1 of the items associated with the systemic factor can be rated as an Area Needing Improvement. For systemic factors with only 1 associated item, that item must be rated as a Strength for a determination of substantial conformity.

The Children's Bureau made several changes to the CF SR process and items and indicators relevant for performance based on lessons learned during the second round of reviews and in response to feedback from the child welfare field. As such, a state's performance in the third round of the CF SRs is not directly comparable to its performance in the second round. Appendix A provides tables presenting New York's overall performance in Round 3. Appendix B provides information about New York's performance in Round 2.

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I. SUMMARY OF PERFORMANCE

New York 2016 CFSR Assessment of Substantial Conformity for Outcomes and Systemic Factors

The following 1 of the 7 outcomes was found to be in substantial conformity:

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

The following 1 of the 7 systemic factors was found to be in substantial conformity:

- Agency Responsiveness to the Community

Children's Bureau Comments on New York Performance

The following are the Children's Bureau's observations about cross-cutting issues and New York's overall performance:

New York's investment in collaborative relationships with stakeholders is evidenced through a substantial conformity rating for the systemic factor of Agency Responsiveness to the Community. New York has established strong collaborative partnerships to ensure coordination of services and benefits with other federal or federally assisted programs serving the same population. The CB believes that this work can be leveraged to support improvements in all outcomes, particularly as achievement of permanency and well-being outcomes are affected by the court and other state agency partners overseeing education, health, and mental health services for children and families.

The state has engaged multiple partners in developing and implementing the Child Welfare Practice Model (CWPM), which is the goal articulated in its Child and Family Services Plan (CFSP). We encourage New York to further analyze and evaluate the specific findings of the CFSR with these partners to inform the ongoing implementation of the CWPM. Several components of the CWPM may be leveraged to address CFSR findings: strengthening Continuous Quality Improvement (CQI) processes toward a system that effectively uses data to inform decision-making at all levels; implementing values-based child welfare practice using a CQI approach; ensuring adequate training for all staff with a focus on competencies; strengthening supervision; and prioritizing focus on practice areas including family engagement, timely permanency, and comprehensive assessments.

Case reviews showed that Child Protective Services (CPS) reports received during the period under review were responded to timely, as initiation and face-to-face contact with children were conducted within time frames established by the state. New York's policy requires face-to-face contact with children named in reports within 60 days of receipt of a report, and the CB was pleased to find that in the majority of cases reviewed children were seen within 24 hours to assess their safety. The CB encourages the state to consider revising its policy to reflect the strong safety practice seen in cases, to ensure that state policy reflects a best practice standard for children.

Other areas of noted strength relate to foster parents and placements for children. In a majority of the foster care cases reviewed, foster parents' needs were adequately assessed and met, and children's placements were stable. In most cases, children were also appropriately placed with siblings. Stakeholders reported strong support for and engagement with foster parents in many areas of the

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state. Ensuring consistency in the delivery of foster and adoptive parent training across the state and improving the involvement of foster parents in reviews and hearings will further support the valuable contribution that foster and adoptive parents make to the child welfare system.

In contrast with the strengths noted above, case review findings indicate significant concerns in achieving positive safety and well-being outcomes in in-home services cases. A key, cross-cutting issue is the lack of quality worker visits with all children in in-home cases. This affects the adequacy of ongoing risk and safety assessments, as well as comprehensive assessment of the children's needs. Adequate service provision to meet children's needs is also significantly lacking in these cases. Of particular concern is the provision of mental health services in in-home cases.

In both in-home and foster care cases, there are substantial concerns about the adequacy of comprehensive assessments of parents and provision of needed services. Although improvement is needed for both mothers and fathers, a lack of adequate work with fathers, particularly non-custodial fathers who are still involved in their children's lives, affects this well-being outcome. Meaningful engagement of families in case planning is also an area needing attention. Although case review results indicated concerns primarily with engaging children and fathers in case planning, stakeholders said there is inconsistency across the state in engaging parents in the development of their case plans.

In foster care cases, improvement is needed to ensure that children's connections are preserved, relatives are assessed as placement resources, and relationships between children and parents are nurtured and supported through visitation and other activities. Attention to these areas of permanency practice also is likely to have a positive effect on family engagement. Families often view the agency as supportive when efforts are made to use family resources and enhance those connections. The CB encourages the state to further explore these practices as an opportunity to enhance the implementation of their practice model, which is aimed at improving family engagement.

The state's lowest performing outcome is ensuring that children have permanency and stability in their living situations. Despite evidence that court reviews and permanency hearings are being held frequently, case reviews noted concerns with ensuring appropriate permanency goals for children, as well as delays in achieving timely permanency. A lack of concurrent planning is a contributing factor in some cases. Stakeholders reported concerns with the adequacy of the service array and limited ability to individualize services, which impedes the ability of families to effectively resolve the issues that keep their children in care. The CB encourages the state to build on work that is underway by the Court Improvement Program to evaluate the quality of court hearings and to collaborate with the court and other key stakeholders in assessing barriers to achieving timely permanency.

Highlighted throughout the review results is a lack of consistency across the state in both practice performance and functioning of systemic factors. Although consistency in a county-administered child welfare program is challenging, a robust CQI system would effectively support consistency across the state, ensuring that the strengths and needs of the system are assessed uniformly and that improvement strategies are monitored and implemented effectively. Clear monitoring processes for licensing activities in foster homes and child care institutions are also needed to ensure that both public and private child welfare agencies are held to best practice standards. Prioritizing improvement in these systemic areas should have a positive impact on outcomes achieved for children and families.

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II. KEY FINDINGS RELATED TO OUTCOMES

For each outcome, we provide performance summaries from the case review findings. The CF SR relies upon a case review of an approved sample of foster care cases and in-home services cases. A minimum sample of 65 cases is typically reviewed in CF SRs. However, in the case of New York, a total of only 64 cases was reviewed. One less in-home case was included in the sample because some participants were unavailable for interviews during the review week and the prepared oversample of cases was fully exhausted. Where relevant, we provide performance summaries that are differentiated between foster care and in-home services cases.

This report provides an overview. Results have been rounded to the nearest whole number. Details on each case rating are available to Office of Children and Family Services. The state is encouraged to conduct additional item-specific analysis of the case review findings to better understand areas of practice that are associated with positive outcomes and those that need improvement.

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

The Children's Bureau calculates the state's performance on Safety Outcome 1 using the state's performance on Item 1.

State Outcome Performance

New York is in substantial conformity with Safety Outcome 1.

The outcome was substantially achieved in 100% of the 28 applicable cases reviewed.

Safety Outcome 1 Item Performance

Item 1. Timeliness of Initiating Investigations of Reports of Child Maltreatment

Purpose of Assessment: To determine whether responses to all accepted child maltreatment reports received during the period under review were initiated, and face-to-face contact with the child(ren) made, within the time frames established by agency policies or state statutes.

State policy requires that all CPS investigations of new or subsequent reports and those reports assigned to the Family Assessment Response (FAR) be initiated within 24 hours of the receipt of the report. Investigations and assessments are initiated with a face-to-face visit or telephone contact to make an initial determination of safety. All investigations and assessments must include a face-to-face visit with all subjects of the report within 60 days of receipt of the report.

- New York received an overall rating of Strength for Item 1 because 100% of the 28 applicable cases were rated as a Strength.

For performance on the safety statewide data indicators, see Appendix A.

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

The Children's Bureau calculates the state's performance on Safety Outcome 2 using the state's performance on Items 2 and 3.

State Outcome Performance

New York is not in substantial conformity with Safety Outcome 2.

The outcome was substantially achieved in 73% of the 64 cases reviewed.

The outcome was substantially achieved in 83% of the 40 foster care cases and 58% of the 24 in-home services cases.

Safety Outcome 2 Item Performance

Item 2. Services to Family to Protect Child(ren) in the Home and Prevent Removal or Re-Entry Into Foster Care

Purpose of Assessment: To determine whether, during the period under review, the agency made concerted efforts to provide services to the family to prevent children's entry into foster care or re-entry after a reunification.

- New York received an overall rating of Strength for Item 2 because 96% of the 23 applicable cases were rated as a Strength.
- Item 2 was rated as a Strength in 100% of the 7 applicable foster care cases and 94% of the 16 applicable in-home services cases.

Item 3. Risk and Safety Assessment and Management

Purpose of Assessment: To determine whether, during the period under review, the agency made concerted efforts to assess and address the risk and safety concerns relating to the child(ren) in their own homes or while in foster care.

- New York received an overall rating of Area Needing Improvement for Item 3 because 73% of the 64 applicable cases were rated as a Strength.
- Item 3 was rated as a Strength in 83% of the 40 applicable foster care cases and 58% of the 24 applicable in-home services cases.

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

The Children's Bureau calculates the state's performance on Permanency Outcome 1 using the state's performance on Items 4, 5, and 6.

State Outcome Performance

New York is not in substantial conformity with Permanency Outcome 1.

The outcome was substantially achieved in 20% of the 40 applicable cases reviewed.

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Permanency Outcome 1 Item Performance

Item 4. Stability of Foster Care Placement

Purpose of Assessment: To determine whether the child in foster care is in a stable placement at the time of the onsite review and that any changes in placement that occurred during the period under review were in the best interests of the child and consistent with achieving the child's permanency goal(s).

- New York received an overall rating of Area Needing Improvement for Item 4 because 75% of the 40 applicable cases were rated as a Strength.

Item 5. Permanency Goal for Child

Purpose of Assessment: To determine whether appropriate permanency goals were established for the child in a timely manner.

- New York received an overall rating of Area Needing Improvement for Item 5 because 28% of the 39 applicable cases were rated as a Strength.

Item 6. Achieving Reunification, Guardianship, Adoption, or Other Planned Permanent Living Arrangement

Purpose of Assessment: To determine whether concerted efforts were made, or are being made, during the period under review to achieve reunification, guardianship, adoption, or other planned permanent living arrangement.

- New York received an overall rating of Area Needing Improvement for Item 6 because 33% of the 40 applicable cases were rated as a Strength.

For performance on the permanency statewide data indicators, see Appendix A.

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

The Children's Bureau calculates the state's performance on Permanency Outcome 2 using the state's performance on Items 7, 8, 9, 10, and 11.

State Outcome Performance

New York is not in substantial conformity with Permanency Outcome 2.

The outcome was substantially achieved in 63% of the 40 applicable cases reviewed.

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Permanency Outcome 2 Item Performance

Item 7. Placement With Siblings

Purpose of Assessment: To determine whether, during the period under review, concerted efforts were made to ensure that siblings in foster care are placed together unless a separation was necessary to meet the needs of one of the siblings.

- New York received an overall rating of Area Needing Improvement for Item 7 because 83% of the 23 applicable cases were rated as a Strength.

Item 8. Visiting With Parents and Siblings in Foster Care

Purpose of Assessment: To determine whether, during the period under review, concerted efforts were made to ensure that visitation between a child in foster care and his or her mother, father,¹ and siblings is of sufficient frequency and quality to promote continuity in the child's relationship with these close family members.

- New York received an overall rating of Area Needing Improvement for Item 8 because 73% of the 30 applicable cases were rated as a Strength.
- In 86% of the 14 applicable cases, the agency made concerted efforts to ensure that both the frequency and quality of visitation with a sibling(s) in foster care who is/was in a different placement setting was sufficient to maintain and promote the continuity of the relationship.
- In 78% of the 23 applicable cases, the agency made concerted efforts to ensure that both the frequency and quality of visitation between the child in foster care and his or her mother was sufficient to maintain and promote the continuity of the relationship.
- In 53% of the 15 applicable cases, the agency made concerted efforts to ensure that both the frequency and quality of visitation between the child in foster care and his or her father was sufficient to maintain and promote the continuity of the relationship.

¹ For Item 8, "Mother" and "Father" are typically defined as the parents/caregivers from whom the child was removed and with whom the agency is working toward reunification. The persons identified in these roles for the purposes of the review may include individuals who do not meet the legal definitions or conventional meanings of a mother and father.

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Item 9. Preserving Connections

Purpose of Assessment: To determine whether, during the period under review, concerted efforts were made to maintain the child's connections to his or her neighborhood, community, faith, extended family, Tribe, school, and friends.

- New York received an overall rating of Area Needing Improvement for Item 9 because 59% of the 39 applicable cases were rated as a Strength.

Item 10. Relative Placement

Purpose of Assessment: To determine whether, during the period under review, concerted efforts were made to place the child with relatives when appropriate.

- New York received an overall rating of Area Needing Improvement for Item 10 because 50% of the 36 applicable cases were rated as a Strength.

Item 11. Relationship of Child in Care With Parents

Purpose of Assessment: To determine whether, during the period under review, concerted efforts were made to promote, support, and/or maintain positive relationships between the child in foster care and his or her mother and father² or other primary caregiver(s) from whom the child had been removed through activities other than just arranging for visitation.

- New York received an overall rating of Area Needing Improvement for Item 11 because 62% of the 26 applicable cases were rated as a Strength.
- In 75% of the 24 applicable cases, the agency made concerted efforts to promote, support, and otherwise maintain a positive and nurturing relationship between the child in foster care and his or her mother.
- In 50% of the 16 applicable cases, the agency made concerted efforts to promote, support, and otherwise maintain a positive and nurturing relationship between the child in foster care and his or her father.

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

The Children's Bureau calculates the state's performance on Well-Being Outcome 1 using the state's performance on Items 12, 13, 14, and 15.

State Outcome Performance

New York is not in substantial conformity with Well-Being Outcome 1.

The outcome was substantially achieved in 39% of the 64 cases reviewed.

² For Item 11, "Mother" and "Father" are typically defined as the parents/caregivers from whom the child was removed and with whom the agency is working toward reunification.

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The outcome was substantially achieved in 45% of the 40 foster care cases and 29% of the 24 in-home services cases.

Well-Being Outcome 1 Item Performance

Item 12. Needs and Services of Child, Parents, and Foster Parents

Purpose of Assessment: To determine whether, during the period under review, the agency (1) made concerted efforts to assess the needs of children, parents,³ and foster parents (both initially, if the child entered foster care or the case was opened during the period under review, and on an ongoing basis) to identify the services necessary to achieve case goals and adequately address the issues relevant to the agency's involvement with the family, and (2) provided the appropriate services.

- New York received an overall rating of Area Needing Improvement for Item 12 because 39% of the 64 cases were rated as a Strength.
- Item 12 was rated as Strength in 45% of the 40 foster care cases and 29% of the 24 in-home services cases.

Item 12 is divided into three sub-items:

Sub-Item 12A. Needs Assessment and Services to Children

- New York received an overall rating of Area Needing Improvement for Item 12A because 70% of the 64 cases were rated as a Strength.
- Item 12A was rated as a Strength in 85% of the 40 foster care cases and 46% of the 24 in-home services cases.

Sub-Item 12B. Needs Assessment and Services to Parents

- New York received an overall rating of Area Needing Improvement for Item 12B because 40% of the 52 applicable cases were rated as a Strength.
- Item 12B was rated as a Strength in 43% of the 28 applicable foster care cases and 38% of the 24 applicable in-home services cases.
- In 66% of the 47 applicable cases, the agency made concerted efforts both to assess and address the needs of mothers.
- In 34% of the 41 applicable cases, the agency made concerted efforts both to assess and address the needs of fathers.

³ For Sub-Item 12B, in the in-home cases, "Mother" and "Father" are typically defined as the parents/caregivers with whom the children were living when the agency became involved with the family and with whom the children will remain (for example, biological parents, relatives, guardians, adoptive parents). In the foster care cases, "Mother" and "Father" are typically defined as the parents/caregivers from whom the child was removed and with whom the agency is working toward reunification; however, biological parents who were not the parents from whom the child was removed may also be included, as may adoptive parents if the adoption was finalized during the period under review. A rating could consider the agency's work with multiple applicable "mothers" and "fathers" for the period under review in the case.

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Sub-Item 12C. Needs Assessment and Services to Foster Parents

- New York received an overall rating of Area Needing Improvement for Item 12C because 77% of the 30 applicable foster care cases were rated as a Strength.

Item 13. Child and Family Involvement in Case Planning

Purpose of Assessment: To determine whether, during the period under review, concerted efforts were made (or are being made) to involve parents⁴ and children (if developmentally appropriate) in the case planning process on an ongoing basis.

- New York received an overall rating of Area Needing Improvement for Item 13 because 63% of the 64 applicable cases were rated as a Strength.
- Item 13 was rated as a Strength in 65% of the 40 applicable foster care cases and 58% of the 24 applicable in-home services cases.
- In 73% of the 49 applicable cases, the agency made concerted efforts to involve child(ren) in case planning.
- In 83% of the 48 applicable cases, the agency made concerted efforts to involve mothers in case planning.
- In 50% of the 34 applicable cases, the agency made concerted efforts to involve fathers in case planning.

Item 14. Caseworker Visits With Child

Purpose of Assessment: To determine whether the frequency and quality of visits between caseworkers and the child(ren) in the case are sufficient to ensure the safety, permanency, and well-being of the child(ren) and promote achievement of case goals.

- New York received an overall rating of Area Needing Improvement for Item 14 because 77% of the 64 cases were rated as a Strength.
- Item 14 was rated as a Strength in 88% of the 40 foster care cases and 58% of the 24 in-home services cases.

⁴ For Item 13, in the in-home cases, “Mother” and “Father” are typically defined as the parents/caregivers with whom the children were living when the agency became involved with the family and with whom the children will remain (for example, biological parents, relatives, guardians, adoptive parents). In the foster care cases, “mother” and “father” are typically defined as the parents/caregivers from whom the child was removed and with whom the agency is working toward reunification; however, biological parents who were not the parents from whom the child was removed may also be included, as may adoptive parents if the adoption was finalized during the period under review. A rating could consider the agency’s work with multiple applicable “mothers” and “fathers” for the period under review in the case.

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Item 15. Caseworker Visits With Parents

Purpose of Assessment: To determine whether, during the period under review, the frequency and quality of visits between caseworkers and the mothers and fathers⁵ of the child(ren) are sufficient to ensure the safety, permanency, and well-being of the child(ren) and promote achievement of case goals.

- New York received an overall rating of Area Needing Improvement for Item 15 because 56% of the 52 applicable cases were rated as a Strength.
- Item 15 was rated as a Strength in 54% of the 28 applicable foster care cases and 58% of the 24 applicable in-home services cases.
- In 68% of the 47 applicable cases, the agency made concerted efforts to ensure that both the frequency and quality of caseworker visitation with mothers were sufficient.
- In 41% of the 34 applicable cases, the agency made concerted efforts to ensure that both the frequency and quality of caseworker visitation with fathers were sufficient.

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

The Children's Bureau calculates the state's performance on Well-Being Outcome 2 using the state's performance on Item 16.

State Outcome Performance

New York is not in substantial conformity with Well-Being Outcome 2.

The outcome was substantially achieved in 87% of the 52 applicable cases reviewed.

⁵ For Item 15, in the in-home cases, "Mother" and "Father" are typically defined as the parents/caregivers with whom the children were living when the agency became involved with the family and with whom the children will remain (for example, biological parents, relatives, guardians, adoptive parents). In the foster care cases, "Mother" and "Father" is typically defined as the parents/caregivers from whom the child was removed and with whom the agency is working toward reunification; however, biological parents who were not the parents from whom the child was removed may also be included, as may adoptive parents if the adoption was finalized during the period under review. A rating could consider the agency's work with multiple applicable mother and fathers for the period under review in the case.

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Well-Being Outcome 2 Item Performance

Item 16. Educational Needs of the Child

Purpose of Assessment: To assess whether, during the period under review, the agency made concerted efforts to assess children's educational needs at the initial contact with the child (if the case was opened during the period under review) or on an ongoing basis (if the case was opened before the period under review), and whether identified needs were appropriately addressed in case planning and case management activities.

- New York received an overall rating of Area Needing Improvement for Item 16 because 87% of the 52 applicable cases were rated as a Strength.
- Item 16 was rated as a Strength in 89% of the 37 applicable foster care cases and 80% of the 15 applicable in-home services cases.

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

The Children's Bureau calculates the state's performance on Well-Being Outcome 3 using the state's performance on Items 17 and 18.

State Outcome Performance

New York is not in substantial conformity with Well-Being Outcome 3.

The outcome was substantially achieved in 66% of the 59 applicable cases reviewed.

The outcome was substantially achieved in 73% of the 40 applicable foster care cases and 53% of the applicable 19 in-home services cases.

Well-Being Outcome 3 Item Performance

Item 17. Physical Health of the Child

Purpose of Assessment: To determine whether, during the period under review, the agency addressed the physical health needs of the children, including dental health needs.

- New York received an overall rating of Area Needing Improvement for Item 17 because 79% of the 48 applicable cases were rated as a Strength.
- Item 17 was rated as a Strength in 85% of the 40 foster care cases and 50% of the 8 applicable in-home services cases.

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Item 18. Mental/Behavioral Health of the Child

Purpose of Assessment: To determine whether, during the period under review, the agency addressed the mental/behavioral health needs of the children.

- New York received an overall rating of Area Needing Improvement for Item 18 because 68% of the 50 applicable cases were rated as a Strength.
- Item 18 was rated as a Strength in 78% of the 32 applicable foster care cases and 50% of the 18 applicable in-home services cases.

III. KEY FINDINGS RELATED TO SYSTEMIC FACTORS

For each systemic factor below, we provide performance summaries and a determination of whether the state is in substantial conformity with that systemic factor. In addition, we provide ratings for each item and a description of how the rating was determined. The CF SR relies upon a review of information contained in the statewide assessment to assess each item. If an item rating cannot be determined from the information contained in the statewide assessment, the Children's Bureau conducts stakeholder interviews and considers information gathered through the interviews in determining ratings for each item.

Statewide Information System

The Children's Bureau assesses the state's performance on this systemic factor using the state's performance on Item 19.

State Systemic Factor Performance

New York is not in substantial conformity with the systemic factor of Statewide Information System. The one item in this systemic factor was rated as an Area Needing Improvement.

Statewide Information System Item Performance

Item 19. Statewide Information System

Description of Systemic Factor Item: The statewide information system is functioning statewide to ensure that, at a minimum, the state 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.

- New York received an overall rating of Area Needing Improvement for Item 19 based on information from the statewide assessment. New York agreed with this rating and felt that additional information collected during stakeholder interviews would not affect the rating.

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- Information in the statewide assessment instrument showed that the vast majority of children in foster care have data entered in the system that capture some of the required elements. New York requires that data be entered within 30 days of the activity; however, processes are not in place to ensure accuracy and timeliness of data entry.

Case Review System

The Children's Bureau assesses the state's performance on this systemic factor using the state's performance on Items 20, 21, 22, 23, and 24.

State Systemic Factor Performance

New York is not in substantial conformity with the systemic factor of Case Review System. Two of the 5 items in this systemic factor were rated as a Strength.

Case Review System Item Performance

Item 20. Written Case Plan

Description of Systemic Factor Item: The case review system is functioning statewide to ensure that each child has a written case plan that is developed jointly with the child's parent(s) and includes the required provisions.

- New York received an overall rating of Area Needing Improvement for Item 20 based on information from the statewide assessment and stakeholder interviews.
- In the statewide assessment, New York reported that a recent monitoring of case plans showed that they are in place in most cases; however, information concerning joint development with parents is less reliable. Stakeholders were mixed in how effectively the agency ensures parental involvement in case planning. Some stakeholders noted that family team meetings, supervision, and various case conferences support engagement of parents in case planning. Others indicated that case plans are sometimes prescribed for parents rather than developed in partnership with them.

Item 21. Periodic Reviews

Description of Systemic Factor Item: The case review system is functioning statewide to ensure that a periodic review for each child occurs no less frequently than once every 6 months, either by a court or by administrative review.

- New York received an overall rating of Strength for Item 21 based on information from the statewide assessment and stakeholder interviews.
- Information collected during interviews with stakeholders showed that periodic reviews for children in foster care occur no less frequently than once every 6 months. Stakeholders reported that courts often hear cases more frequently than every 6 months. Many stakeholders considered these court hearings as the mechanism for ensuring a periodic review, rather than the Service Plan Review, which was described in the Statewide Assessment Instrument.

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Item 22. Permanency Hearings

Description of Systemic Factor Item: The case review system is functioning statewide to ensure that each child has a permanency hearing in a qualified court or administrative body that occurs no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.

- New York received an overall rating of Strength for Item 22 based on information from the statewide assessment and stakeholder interviews.
- Information in the statewide assessment and collected during interviews with stakeholders showed that permanency hearings are occurring no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter. Stakeholders reported that permanency hearings typically occur at least every 6 months. Moreover, to ensure provision of needed services, in some counties specialized permanency hearings are held more frequently than every 12 months for youth with the goal of Other Planned Permanent Living Arrangement. Stakeholders indicated that the Court Improvement Program is assessing the quality of these hearings to determine how effectively they are supporting timely permanency.

Item 23. Termination of Parental Rights

Description of Systemic Factor Item: The case review system is functioning statewide to ensure that the filing of termination of parental rights proceedings occurs in accordance with required provisions.

- New York received an overall rating of Area Needing Improvement for Item 23 based on information from the statewide assessment. New York agreed with this rating and felt that additional information collected during stakeholder interviews would not affect the rating.
- In the statewide assessment, New York reported that a recent review of cases showed that timely filing for termination of parental rights or documentation of a compelling reason not to file is not occurring statewide as required.

Item 24. Notice of Hearings and Reviews to Caregivers

Description of Systemic Factor Item: The case review system is functioning to ensure that foster parents, pre-adoptive parents, and relative caregivers of children in foster care are notified of, and have a right to be heard in, any review or hearing held with respect to the child.

- New York received an overall rating of Area Needing Improvement for Item 24 based on information from the statewide assessment. New York agreed with this rating and felt that additional information collected during stakeholder interviews would not affect the rating.
- Information in the statewide assessment showed that foster and adoptive parents and relative caregivers are not always notified of court hearings. Additionally, information in the statewide assessment indicated that although many foster and adoptive parents and relative caregivers feel engaged and heard in agency reviews, there are concerns regarding their ability to exercise their right to be heard in court hearings.

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Quality Assurance System

The Children's Bureau assesses the state's performance on this systemic factor using the state's performance on Item 25.

State Systemic Factor Performance

New York is not in substantial conformity with the systemic factor of Quality Assurance System. The one item in this systemic factor was rated as an Area Needing Improvement.

Quality Assurance System Item Performance

Item 25. Quality Assurance System

Description of Systemic Factor Item: The quality assurance system is functioning statewide to ensure that it (1) is operating in the jurisdictions where the services included in the Child and Family Services Plan (CFSP) are provided, (2) has standards to evaluate the quality of services (including standards to ensure that children in foster care are provided quality services that protect their health and safety), (3) identifies strengths and needs of the service delivery system, (4) provides relevant reports, and (5) evaluates implemented program improvement measures.

- New York received an overall rating of Area Needing Improvement for Item 25 based on information from the statewide assessment and stakeholder interviews.
- Information in the statewide assessment showed that only some CQI elements are in place throughout the state, and that the lack of evaluation of implemented program improvement measures is an area of particular concern. New York noted that although they have several case review processes in place across the state, processes are not consistency implemented in every county and improvement is needed to ensure consistency among case reviewers. Stakeholders identified the need to streamline reports used to assist in the assessment of strengths and needs so as to improve efficiency and enable the state to focus on key areas. Stakeholders also said that a lack of resources is a barrier to enhancements to CQI processes across the state.

Staff and Provider Training

The Children's Bureau assesses the state's performance on this systemic factor using the state's performance on Items 26, 27, and 28.

State Systemic Factor Performance

New York is not in substantial conformity with the systemic factor of Staff and Provider Training. None of the items in this systemic factor were rated as a Strength.

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Staff and Provider Training Item Performance

Item 26. Initial Staff Training

Description of Systemic Factor Item: The staff and provider training system is functioning statewide to ensure that initial training is provided to all staff who deliver services pursuant to the CFSP that includes the basic skills and knowledge required for their positions.

- New York received an overall rating of Area Needing Improvement for Item 26 based on information from the statewide assessment. New York agreed with this rating and felt that additional information collected during stakeholder interviews would not affect the rating.
- Information in the statewide assessment indicated that the state has initial training requirements for Child Protective Services (CPS) workers and supervisors, and that no training requirements exist for other staff, including ongoing case management staff. Information in the statewide assessment indicated concerns that CPS workers are not completing the initial training as required. Although the state reports using pre- and post-testing to evaluate trainee knowledge, the state did not provide data or information to confirm that the initial training provided CPS staff with the basic skills and knowledge needed to carry out their duties.

Item 27. Ongoing Staff Training

Description of Systemic Factor Item: The staff and provider training system is functioning statewide to ensure that ongoing training is provided for staff⁶ that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.

- New York received an overall rating of Area Needing Improvement for Item 27 based on information from the statewide assessment. New York agreed with this rating and felt that additional information collected during stakeholder interviews would not affect the rating.
- Information in the statewide assessment indicated that New York does not have ongoing training requirements for non-CPS staff. While New York reported that Local Department of Social Services (LDSS) Staff Development Coordinators are expected to track compliance with the ongoing training requirements for CPS workers and supervisors, no data regarding compliance is available.

Item 28. Foster and Adoptive Parent Training

Description of Systemic Factor Item: The staff and provider training system is functioning statewide to ensure that training is

⁶ "Staff," for purposes of assessing this item, includes all contracted and non-contracted staff who have case management responsibilities in the areas of child protection services, family preservation and support services, foster care services, adoption services, and independent living services pursuant to the state's CFSP. "Staff" also includes direct supervisors of all contracted and non-contracted staff who have case management responsibilities in the areas of child protection services, family preservation and support services, foster care services, adoption services, and independent living services pursuant to the state's CFSP.

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occurring statewide 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.

- New York received an overall rating of Area Needing Improvement for Item 28 based on information from the statewide assessment and stakeholder interviews.
- Information from the statewide assessment and confirmed in stakeholder interviews showed inconsistencies across the state concerning foster and adoptive parent training and concerns with the adequacy of the training used to prepare foster and adoptive parents to carry out their duties with regard to foster and adopted children. Stakeholders reported varied experiences with the effectiveness of ongoing training. Stakeholders also reported that ongoing training requirements, access to training, and monitoring of training varies across the state. Voluntary agencies reported close monitoring of compliance with training requirements; however, the state does not monitor compliance outside of the agency reviews that occur every 3 years, and there is no process in place to ensure that local offices are complying with training requirements.

Service Array and Resource Development

The Children's Bureau assesses the state's performance on this systemic factor using the state's performance on Items 29 and 30.

State Systemic Factor Performance

New York is not in substantial conformity with the systemic factor of Service Array and Resource Development. Both of the items in this systemic factor were rated as an Area Needing Improvement.

Service Array and Resource Development Item Performance

Item 29. Array of Services

Description of Systemic Factor Item: The service array and resource development system is functioning to ensure that the following array of services is accessible in all political jurisdictions covered by the CFSP: (1) services that assess the strengths and needs of children and families and determine other service needs, (2) services that address the needs of families in addition to individual children in order to create a safe home environment, (3) services that enable children to remain safely with their parents when reasonable, and (4) services that help children in foster and adoptive placements achieve permanency.

- New York received an overall rating of Area Needing Improvement for Item 29 based on information from the statewide assessment and stakeholder interviews.
- Information from the statewide assessment and confirmed during stakeholder interviews showed that New York does not have an adequate array of services accessible to children and families in all jurisdictions covered by the CFSP. Stakeholders reported that parents are often required to participate in services that are not readily available and noted gaps in and waitlists for services in the following areas: transportation, mental health services, domestic violence services, housing for youth transitioning out of care, independent living services, services for children and parents who have developmental delays,

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psychiatric services, substance abuse services, and services for families whose first language is not English.

Item 30. Individualizing Services

Description of Systemic Factor Item: The service array and resource development system is functioning statewide to ensure that the services in Item 29 can be individualized to meet the unique needs of children and families served by the agency.

- New York received an overall rating of Area Needing Improvement for Item 30 based on information from the statewide assessment and stakeholder interviews.
- Information from the statewide assessment and confirmed in stakeholder interviews showed that although improvements have been seen in parts of the state, the state does not consistently ensure that services are being individualized to meet the unique needs of children and families and that service plans for families are not always individualized to ensure tailored services. Stakeholders noted a need for more creativity in developing plans, particularly when certain services are not readily available in all jurisdictions. Stakeholders raised concerns about the quality of some service providers and the impact this had on the effectiveness of services. Stakeholders reported inconsistencies across the state in whether parents are allowed to participate in programs that the parent identifies that are not contracted for by the state. Stakeholders were also concerned that youth aging out of care were not receiving tailored services to address their needs and to adequately prepare them for independence.

Agency Responsiveness to the Community

The Children's Bureau assesses the state's performance on this systemic factor using the state's performance on Items 31 and 32.

State Systemic Factor Performance

New York is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. Both items in this systemic factor were rated as a Strength.

Agency Responsiveness to the Community Item Performance

Item 31. State Engagement and Consultation With Stakeholders Pursuant to CFSP and APSR

Description of Systemic Factor Item: The agency responsiveness to the community system is functioning statewide to ensure that, in implementing the provisions of the CFSP and developing related APSRs, 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, objectives, and annual updates of the CFSP.

- New York received an overall rating of Strength for Item 31 based on information from the statewide assessment and stakeholder interviews.
- Information provided in the statewide assessment and confirmed through stakeholder interviews showed that the state engages in ongoing consultation with key stakeholders and includes their major concerns in the goals, objectives, and annual

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updates of the CFSP. Key local stakeholders were engaged in the development of county-level plans, although opportunities may exist to improve engagement of voluntary agencies. Stakeholders confirmed that feedback from multiple agencies and partners was used to inform the implementation of the practice model, which is the only goal in the state's CFSP.

Item 32. Coordination of CFSP Services With Other Federal Programs

Description of Systemic Factor Item: The agency responsiveness to the community system is functioning statewide to ensure that the state's services under the CFSP are coordinated with services or benefits of other federal or federally assisted programs serving the same population.

- New York received an overall rating of Strength for Item 32 based on information from the statewide assessment.
- Information from the statewide assessment provided specific examples of the ways in which the state coordinates services or benefits with other federal or federally assisted programs serving the same population. Examples include coordination with the Family Court; the Office of Alcoholism and Substance Abuse Services; and the Departments of Health, Labor, and Education.

Foster and Adoptive Parent Licensing, Recruitment, and Retention

The Children's Bureau assesses the state's performance on this systemic factor using the state's performance on Items 33, 34, 35, and 36.

State Systemic Factor Performance

New York is not in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. None of the four items in this systemic factor was rated as a Strength.

Foster and Adoptive Parent Licensing, Recruitment, and Retention Item Performance

Item 33. Standards Applied Equally

Description of Systemic Factor Item: The foster and adoptive parent licensing, recruitment, and retention system is functioning statewide to ensure that state standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-B or IV-E funds.

- New York received an overall rating of Area Needing Improvement for Item 33 based on information from the statewide assessment and stakeholder interviews.
- Information from the statewide assessment and confirmed through stakeholder interviews showed that because of insufficient monitoring, New York is not adequately ensuring that state standards are adequately applied to all licensed or approved foster family homes. According to the statewide assessment, the state does not review approved family foster homes licensed by local departments of social services to ensure that they meet required standards. Information in the statewide assessment showed that voluntary agencies are reviewed every 3 years and that this review involves a small number of homes. Concerns

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were raised about the infrequency of reviews of voluntary agency homes, and the insufficient sample of homes reviewed. Stakeholders interviewed reported a lack of monitoring compliance outside of this review process. The statewide assessment also showed that New York licenses and monitors all congregate care facilities and that a significant number of violations were found during 2015 safety inspections.

Item 34. Requirements for Criminal Background Checks

Description of Systemic Factor Item: The foster and adoptive parent licensing, recruitment, and retention system is functioning statewide to ensure that 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.

- New York received an overall rating of Area Needing Improvement for Item 34 based on information from the statewide assessment and stakeholder interviews.
- Information provided in the statewide assessment and in stakeholder interviews showed that although voluntary agencies and LDSS are meeting the requirements for criminal background checks through their own licensing and monitoring processes, the state does not monitor these processes to ensure compliance. The state forwards information on arrests for criminal activity on active foster homes to local offices but does not have a case planning process in place to ensure appropriate follow-up on these concerns to address the safety of foster care and adoptive placements for children.

Item 35. Diligent Recruitment of Foster and Adoptive Homes

Description of Systemic Factor Item: The foster and adoptive parent licensing, recruitment, and retention system is functioning to ensure that the process for ensuring the diligent recruitment of potential foster and adoptive families who reflect the ethnic and racial diversity of children in the state for whom foster and adoptive homes are needed is occurring statewide.

- New York received an overall rating of Area Needing Improvement for Item 35 based on information from the statewide assessment and stakeholder interviews.
- Information in the statewide assessment and collected during stakeholder interviews described localized efforts that are supported and monitored by the state to recruit potential foster and adoptive families who reflect the ethnic and racial diversity of children in the state. However, stakeholders expressed concerns that the state still does not have an adequate pool of homes to meet the needs of children in care. Data were not provided to indicate how successful recruitment efforts have been, and some stakeholders noted concerns about accessing relevant data to support recruitment efforts.

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Item 36. State Use of Cross-Jurisdictional Resources for Permanent Placements

Description of Systemic Factor Item: The foster and adoptive parent licensing, recruitment, and retention system is functioning to ensure that the process for ensuring the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children is occurring statewide.

- New York received an overall rating of Area Needing Improvement for Item 36 based on information from the statewide assessment and stakeholder interviews.
- Information in the statewide assessment and collected during stakeholder interviews indicated concerns with ensuring that state's use of cross-jurisdictional resources facilitates timely adoptive or permanent placements for waiting children. Data and interviews indicated delays in following agency policy, such as photo-listing waiting children. Although permanency specialists help identify cross-jurisdictional placements, and waiting children are monitored to support timely adoption, information demonstrating the effectiveness of these efforts was not provided. The state is developing a database to enable electronic submissions of ICPC requests, but the current system is unable to track the number of home studies completed within the 60-day requirement.

Appendix A: Summary of New York 2016 CFSR Performance

**Appendix A
Summary of New York 2016 Child and Family Services Review Performance**

I. Ratings for Safety, Permanency, and Well-Being Outcomes and Items

Outcome Achievement: Outcomes may be rated as in substantial conformity or not in substantial conformity. 95% of the applicable cases reviewed must be rated as having substantially achieved the outcome for the state to be in substantial conformity with the outcome.

Item Achievement: Items may be rated as a Strength or as an Area Needing Improvement. For an overall rating of Strength, 90% of the cases reviewed for the item (with the exception of Item 1 and Item 16) must be rated as a Strength. Because Item 1 is the only item for Safety Outcome 1 and Item 16 is the only item for Well-Being Outcome 2, the requirement of a 95% Strength rating applies.

SAFETY OUTCOME 1: CHILDREN ARE, FIRST AND FOREMOST, PROTECTED FROM ABUSE AND NEGLECT.

Data Element	Overall Determination	State Performance
Safety Outcome 1 Children are, first and foremost, protected from abuse and neglect	In Substantial Conformity	100% Substantially Achieved
Item 1 Timeliness of investigations	Strength	100% Strength

SAFETY OUTCOME 2: CHILDREN ARE SAFELY MAINTAINED IN THEIR HOMES WHENEVER POSSIBLE AND APPROPRIATE.

Data Element	Overall Determination	State Performance
Safety Outcome 2 Children are safely maintained in their homes whenever possible and appropriate	Not in Substantial Conformity	73% Substantially Achieved
Item 2 Services to protect child(ren) in home and prevent removal or re-entry into foster care	Strength	96% Strength
Item 3 Risk and safety assessment and management	Area Needing Improvement	73% Strength

Appendix A: Summary of New York 2016 CFSR Performance

PERMANENCY OUTCOME 1: CHILDREN HAVE PERMANENCY AND STABILITY IN THEIR LIVING SITUATIONS.

Data Element	Overall Determination	State Performance
Permanency Outcome 1 Children have permanency and stability in their living situations	Not in Substantial Conformity	20% Substantially Achieved
Item 4 Stability of foster care placement	Area Needing Improvement†	75% Strength
Item 5 Permanency goal for child	Area Needing Improvement	28% Strength
Item 6 Achieving reunification, guardianship, adoption, or other planned permanent living arrangement	Area Needing Improvement	33% Strength

PERMANENCY OUTCOME 2: THE CONTINUITY OF FAMILY RELATIONSHIPS AND CONNECTIONS IS PRESERVED FOR CHILDREN.

Data Element	Overall Determination	State Performance
Permanency Outcome 2 The continuity of family relationships and connections is preserved for children	Not in Substantial Conformity	63% Substantially Achieved
Item 7 Placement with siblings	Area Needing Improvement	83% Strength
Item 8 Visiting with parents and siblings in foster care	Area Needing Improvement†	73% Strength
Item 9 Preserving connections	Area Needing Improvement†	59% Strength
Item 10 Relative placement	Area Needing Improvement	50% Strength
Item 11 Relationship of child in care with parents	Area Needing Improvement	62% Strength

Appendix A: Summary of New York 2016 CFSR Performance

WELL-BEING OUTCOME 1: FAMILIES HAVE ENHANCED CAPACITY TO PROVIDE FOR THEIR CHILDREN'S NEEDS.

Data Element	Overall Determination	State Performance
Well-Being Outcome 1 Families have enhanced capacity to provide for their children's needs	Not in Substantial Conformity	39% Substantially Achieved
Item 12 Needs and services of child, parents, and foster parents	Area Needing Improvement	39% Strength
Sub-Item 12A Needs assessment and services to children	Area Needing Improvement	70% Strength
Sub-Item 12B Needs assessment and services to parents	Area Needing Improvement	40% Strength
Sub-Item 12C Needs assessment and services to foster parents	Area Needing Improvement	77% Strength
Item 13 Child and family involvement in case planning	Area Needing Improvement	63% Strength
Item 14 Caseworker visits with child	Area Needing Improvement	77% Strength
Item 15 Caseworker visits with parents	Area Needing Improvement	56% Strength

WELL-BEING OUTCOME 2: CHILDREN RECEIVE APPROPRIATE SERVICES TO MEET THEIR EDUCATIONAL NEEDS.

Data Element	Overall Determination	State Performance
Well-Being Outcome 2 Children receive appropriate services to meet their educational needs	Not in Substantial Conformity	87% Substantially Achieved
Item 16 Educational needs of the child	Area Needing Improvement	87% Strength

Appendix A: Summary of New York 2016 CF SR Performance

WELL-BEING OUTCOME 3: CHILDREN RECEIVE ADEQUATE SERVICES TO MEET THEIR PHYSICAL AND MENTAL HEALTH NEEDS.

Data Element	Overall Determination	State Performance
Well-Being Outcome 3 Children receive adequate services to meet their physical and mental health needs	Not in Substantial Conformity	66% Substantially Achieved
Item 17 Physical health of the child	Area Needing Improvement	79% Strength
Item 18 Mental/behavioral health of the child	Area Needing Improvement	68% Strength

II. Ratings for Systemic Factors

The Children’s Bureau determines whether a state is in substantial conformity with federal requirements for the 7 systemic factors based on the level of functioning of each systemic factor across the state. The Children’s Bureau determines substantial conformity with the systemic factors based on ratings for the item or items within each factor. Performance on 5 of the 7 systemic factors is determined on the basis of ratings for multiple items or plan requirements. For a state to be found in substantial conformity with these systemic factors, the Children’s Bureau must find that no more than 1 of the required items for that systemic factor fails to function as required. For a state to be found in substantial conformity with the 2 systemic factors that are determined based on the rating of a single item, the Children’s Bureau must find that the item is functioning as required.

STATEWIDE INFORMATION SYSTEM

Data Element	Source of Data and Information	State Performance
Statewide Information System	Statewide Assessment	Not in Substantial Conformity
Item 19 Statewide Information System	Statewide Assessment	Area Needing Improvement

Appendix A: Summary of New York 2016 CFSR Performance

CASE REVIEW SYSTEM

Data Element	Source of Data and Information	State Performance
Case Review System	Statewide Assessment and Stakeholder Interviews	Not in Substantial Conformity
Item 20 Written Case Plan	Statewide Assessment and Stakeholder Interviews	Area Needing Improvement
Item 21 Periodic Reviews	Statewide Assessment and Stakeholder Interviews	Strength
Item 22 Permanency Hearings	Statewide Assessment and Stakeholder Interviews	Strength
Item 23 Termination of Parental Rights	Statewide Assessment	Area Needing Improvement
Item 24 Notice of Hearings and Reviews to Caregivers	Statewide Assessment	Area Needing Improvement

QUALITY ASSURANCE SYSTEM

Data Element	Source of Data and Information	State Performance
Quality Assurance System	Statewide Assessment and Stakeholder Interviews	Not in Substantial Conformity
Item 25 Quality Assurance System	Statewide Assessment and Stakeholder Interviews	Area Needing Improvement

STAFF AND PROVIDER TRAINING

Data Element	Source of Data and Information	State Performance
Staff and Provider Training	Statewide Assessment and Stakeholder Interviews	Not in Substantial Conformity
Item 26 Initial Staff Training	Statewide Assessment	Area Needing Improvement

Appendix A: Summary of New York 2016 CFSR Performance

Data Element	Source of Data and Information	State Performance
Item 27 Ongoing Staff Training	Statewide Assessment	Area Needing Improvement
Item 28 Foster and Adoptive Parent Training	Statewide Assessment and Stakeholder Interviews	Area Needing Improvement

SERVICE ARRAY AND RESOURCE DEVELOPMENT

Data Element	Source of Data and Information	State Performance
Service Array and Resource Development	Statewide Assessment and Stakeholder Interviews	Not in Substantial Conformity
Item 29 Array of Services	Statewide Assessment and Stakeholder Interviews	Area Needing Improvement
Item 30 Individualizing Services	Statewide Assessment and Stakeholder Interviews	Area Needing Improvement

AGENCY RESPONSIVENESS TO THE COMMUNITY

Data Element	Source of Data and Information	State Performance
Agency Responsiveness to the Community	Statewide Assessment and Stakeholder Interviews	In Substantial Conformity
Item 31 State Engagement and Consultation With Stakeholders Pursuant to CFSP and APSR	Statewide Assessment and Stakeholder Interviews/Stakeholder Interviews	Strength
Item 32 Coordination of CFSP Services With Other Federal Programs	Statewide Assessment	Strength

Appendix A: Summary of New York 2016 CFSR Performance

FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION

Data Element	Source of Data and Information	State Performance
Foster and Adoptive Parent Licensing, Recruitment, and Retention	Statewide Assessment	Not in Substantial Conformity
Item 33 Standards Applied Equally	Statewide Assessment and Stakeholder Interviews	Area Needing Improvement
Item 34 Requirements for Criminal Background Checks	Statewide Assessment and Stakeholder Interviews	Area Needing Improvement
Item 35 Diligent Recruitment of Foster and Adoptive Homes	Statewide Assessment and Stakeholder Interviews	Area Needing Improvement
Item 36 State Use of Cross-Jurisdictional Resources for Permanent Placements	Statewide Assessment and Stakeholder Interviews	Area Needing Improvement

III. Performance on Statewide Data Indicators⁷

The state's performance is considered against the national performance for each statewide data indicator and provides contextual information for considering the findings. This information is not used in conformity decisions. State performance may be statistically above, below, or no different than the national performance. If a state did not provide the required data or did not meet the applicable item data quality limits, the Children's Bureau did not calculate the state's performance for the statewide data indicator.

Statewide Data Indicator	National Performance	Direction of Desired Performance	RSP*	95% Confidence Interval**	Data Period(s) Used for State Performance***
Recurrence of maltreatment	9.1%	Lower	22.7%	22.3% - 23%	FY13-14
Maltreatment in foster care (victimizations per 100,000 days in care)	8.50	Lower	20.90	19.69–22.18	14A–14B, FY14

⁷ In October 2016, the Children's Bureau issued Technical Bulletin #9 (<http://www.acf.hhs.gov/cb/resource/cfsr-technical-bulletin-9>), which alerted states to the fact that there were technical errors in the syntax used to calculate the national and state performance for the statewide data indicators. The syntax revision is still underway, so performance shown in this table is based on the 2015 Federal Register syntax.

Appendix A: Summary of New York 2016 CFSR Performance

Statewide Data Indicator	National Performance	Direction of Desired Performance	RSP*	95% Confidence Interval**	Data Period(s) Used for State Performance***
Permanency in 12 months for children entering foster care	40.5%	Higher	36.4%	35.4%–37.4%	12B–15A
Permanency in 12 months for children in foster care 12-23 months	43.6%	Higher	27.5%	26.2%–28.9%	14B–15A
Permanency in 12 months for children in foster care 24 months or more	30.3%	Higher	21.7%	21%–22.5%	14B–15A
Re-entry to foster care in 12 months	8.3%	Lower	12.7%	11.5%–14.1%	12B–15A
Placement stability (moves per 1,000 days in care)	4.12	Lower	2.80	2.71–2.88	14B–15A

* **Risk-Standardized Performance (RSP)** is derived from a multi-level statistical model and reflects the state's performance relative to states with similar children and takes into account the number of children the state served, the age distribution of these children, and, for some indicators, the state's entry rate. It uses risk-adjustment to minimize differences in outcomes due to factors over which the state has little control and provides a more fair comparison of state performance against national performance.

** **95% Confidence Interval** is the 95% confidence interval estimate for the state's RSP. The values shown are the lower RSP and upper RSP of the interval estimate. The interval accounts for the amount of uncertainty associated with the RSP. For example, the CB is 95% confident that the true value of the RSP is between the lower and upper limit of the interval.

*** **Data Period(s) Used for State Performance:** Refers to the initial 12-month period and the period(s) of data needed to follow the children to observe their outcomes. The FY or federal fiscal year refers to NCANDS data, which spans the 12-month period October 1 – September 30. All other periods refer to AFCARS data. "A" refers to the 6-month period October 1 – March 31. "B" refers to the 6-month period April 1 – September 30. The 2-digit year refers to the calendar year in which the period ends.

Appendix B: New York 2008 CFSR Key Findings

Appendix B Summary of CFSR Round 2 New York 2008 Key Findings

The Children’s Bureau conducted a CFSR in New York in 2008. Key findings from that review are presented below. Because the Children’s Bureau made several changes to the CFSR process and items and indicators relevant for performance based on lessons learned during the second round and in response to feedback from the child welfare field, a state’s performance in the third round of the CFSR is not directly comparable to its performance in the second round.

Identifying Information and Review Dates

General Information
Children’s Bureau Region: 2
Date of Onsite Review: May 5–9, 2008
Period Under Review: April 1, 2007, through May 9, 2008
Date Courtesy Copy of Final Report Issued: February 5, 2009
Date Program Improvement Plan Due: May 5, 2009
Date Program Improvement Plan Approved: January 1, 2010

Highlights of Findings

Performance Measurements
A. The State met the national standards for one of the six standards.
B. The State achieved substantial conformity for none of the seven outcomes.
C. The State achieved substantial conformity for two of the seven systemic factors.

Appendix B: New York 2008 CFSR Key Findings

State's Conformance With the National Standards

Data Indicator or Composite	National Standard	State's Score	Meets or Does Not Meet Standard
Absence of maltreatment recurrence (data indicator)	94.6 or higher	88.7	Does Not Meet Standard
Absence of child abuse and/or neglect in foster care (data indicator)	99.68 or higher	99.66	Does Not Meet Standard
Timeliness and permanency of reunifications (Permanency Composite 1)	122.6 or higher	96.3	Does Not Meet Standard
Timeliness of adoptions (Permanency Composite 2)	106.4 or higher	57.8	Does Not Meet Standard
Permanency for children and youth in foster care for long periods of time (Permanency Composite 3)	121.7 or higher	110.8	Does Not Meet Standard
Placement stability (Permanency Composite 4)	101.5 or higher	108.1	Meets Standard

State's Conformance With the Outcomes

Outcome	Achieved or Did Not Achieve Substantial Conformity
Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect.	Did Not Achieve Substantial Conformity
Safety Outcome 2: Children are safely maintained in their homes whenever possible and appropriate.	Did Not Achieve Substantial Conformity
Permanency Outcome 1: Children have permanency and stability in their living situations.	Did Not Achieve Substantial Conformity

Appendix B: New York 2008 CFSR Key Findings

Outcome	Achieved or Did Not Achieve Substantial Conformity
Permanency Outcome 2: The continuity of family relationships and connections is preserved for children.	Did Not Achieve Substantial Conformity
Child and Family Well-Being Outcome 1: Families have enhanced capacity to provide for their children's needs.	Did Not Achieve Substantial Conformity
Child and Family Well-Being Outcome 2: Children receive appropriate services to meet their educational needs.	Did Not Achieve Substantial Conformity
Child and Family Well-Being Outcome 3: Children receive adequate services to meet their physical and mental health needs.	Did Not Achieve Substantial Conformity

State's Conformance With the Systemic Factors

Systemic Factor	Achieved or Did Not Achieve Substantial Conformity
Statewide Information System	Did Not Achieve Substantial Conformity
Case Review System	Did Not Achieve Substantial Conformity
Quality Assurance System	Achieved Substantial Conformity
Staff and Provider Training	Did Not Achieve Substantial Conformity
Service Array and Resource Development	Did Not Achieve Substantial Conformity
Agency Responsiveness to the Community	Achieved Substantial Conformity
Foster and Adoptive Parent Licensing, Recruitment, and Retention	Did Not Achieve Substantial Conformity

Appendix B: New York 2008 CFSR Key Findings

Key Findings by Item

Outcomes

Item	Strength or Area Needing Improvement
Item 1. Timeliness of Initiating Investigations of Reports of Child Maltreatment	Strength
Item 2. Repeat Maltreatment	Area Needing Improvement
Item 3. Services to Family to Protect Child(ren) in the Home and Prevent Removal or Re-entry Into Foster Care	Area Needing Improvement
Item 4. Risk Assessment and Safety Management	Area Needing Improvement
Item 5. Foster Care Re-entries	Strength
Item 6. Stability of Foster Care Placement	Area Needing Improvement
Item 7. Permanency Goal for Child	Area Needing Improvement
Item 8. Reunification, Guardianship, or Permanent Placement With Relatives	Area Needing Improvement
Item 9. Adoption	Area Needing Improvement
Item 10. Other Planned Permanent Living Arrangement	Strength
Item 11. Proximity of Foster Care Placement	Strength
Item 12. Placement With Siblings	Area Needing Improvement
Item 13. Visiting With Parents and Siblings in Foster Care	Area Needing Improvement
Item 14. Preserving Connections	Area Needing Improvement
Item 15. Relative Placement	Area Needing Improvement
Item 16. Relationship of Child in Care With Parents	Area Needing Improvement

Appendix B: New York 2008 CFSR Key Findings

Item	Strength or Area Needing Improvement
Item 17. Needs and Services of Child, Parents, and Foster Parents	Area Needing Improvement
Item 18. Child and Family Involvement in Case Planning	Area Needing Improvement
Item 19. Caseworker Visits With Child	Area Needing Improvement
Item 20. Caseworker Visits With Parents	Area Needing Improvement
Item 21. Educational Needs of the Child	Area Needing Improvement
Item 22. Physical Health of the Child	Strength
Item 23. Mental/Behavioral Health of the Child	Area Needing Improvement

Systemic Factors

Item	Strength or Area Needing Improvement
Item 24. Statewide Information System	Area Needing Improvement
Item 25. Written Case Plan	Area Needing Improvement
Item 26. Periodic Reviews	Area Needing Improvement
Item 27. Permanency Hearings	Area Needing Improvement
Item 28. Termination of Parental Rights	Area Needing Improvement
Item 29. Notice of Hearings and Reviews to Caregivers	Area Needing Improvement
Item 30. Standards Ensuring Quality Services	Strength
Item 31. Quality Assurance System	Strength
Item 32. Initial Staff Training	Area Needing Improvement
Item 33. Ongoing Staff Training	Area Needing Improvement
Item 34. Foster and Adoptive Parent Training	Strength
Item 35. Array of Services	Area Needing Improvement

Appendix B: New York 2008 CFSR Key Findings

Item	Strength or Area Needing Improvement
Item 36. Service Accessibility	Area Needing Improvement
Item 37. Individualizing Services	Strength
Item 38. Engagement in Consultation With Stakeholders	Strength
Item 39. Agency Annual Reports Pursuant to CFSP	Strength
Item 40. Coordination of CFSP Services With Other Federal Programs	Strength
Item 41. Standards for Foster Homes and Institutions	Area Needing Improvement
Item 42. Standards Applied Equally	Strength
Item 43. Requirements for Criminal Background Checks	Strength
Item 44. Diligent Recruitment of Foster and Adoptive Homes	Area Needing Improvement
Item 45. State Use of Cross-Jurisdictional Resources for Permanent Placements	Strength