

**THE BEST WAY TO HELP
TROUBLED FAMILIES IS ALSO
MORE COST EFFECTIVE.**



Preventive services support families and help them develop skills to better care for their children on their own, decreasing the potential for abuse and neglect as well as the need for options like foster care.

Preventive services produce far better long term results for families and save taxpayers money.

Unfortunately, they're probably the first to be cut.

What services are likely to be cut?

Most likely the very preventive services that families need in order to keep children safe and cared for, services such as home visiting programs, safe housing, mental health care, substance abuse treatment, etc. These services are known to prevent abuse and neglect and entry into foster care and the juvenile justice system, both costly systems with less than optimal child outcomes.

Is there an alternative?

In place of cutting these essential services we propose ideas for reform, realignment and reinvestment in child welfare to save money:

REFORM

Reforming child welfare, keeping in mind *what's good for children*, to achieve better outcomes for children and their families.

REALIGN

Realignment of policies so that more attention is paid to the front door of child welfare so it does not become a revolving door.

REINVEST

Reinvestment of funds so that quality preventive services are available to help and support families to prevent their entry into the system in the first place.

What is in this report?

In this report, the New York State Citizen Review Panels put the spotlight on funding for child welfare, how that funding is used at the local district level to provide key preventive and wrap-around services to help families and to save dollars. We feature home visiting as a proven practice that prevents child abuse and neglect and we have provided a photo essay to illustrate the hard work supervisors and caseworkers do each day. We also offer our recommendations for change. The New York City Panel is submitting an additional set of recommendations which apply only to NYC. Their recommendations are included with this report as a separate document.

PERSPECTIVES ON CHILD WELFARE FINANCING

A Commentary by Larry Brown,
Larry Brown Associates

New York's child welfare financing burden falls increasingly on state and local shoulders. But the structure itself is not conducive to achieving desired outcomes. Given the enormous pressures from Washington and daunting

The state's current financing strategy is inadequate to achieve the real goals of child welfare. And, allowing the current structure to lapse without a careful plan to meet today's challenges solves nothing.

budget issues, this is a time to protect our state investments in families and take a hard look at how to maximize the return on those investments.

Federally, child welfare financing is badly broken. For foster care, the government's funding mechanism,

Title IV-E, is an open-ended entitlement, with a huge caveat. It pays only for children who are poor according to the 1996 poverty standard. Over time, the "eligible" population erodes as inflation alone lifts families above the 1996 threshold.

At the same time the eligibility definition is whittling away who is eligible, the federal government focuses on technical eligibility requirements. States and counties spend endless hours struggling with paperwork that often results in disallowances. Even worse, precious caseworker time is lost.

Declining federal support for foster care pales in comparison to its lukewarm efforts at prevention. Title IV-B provides states with small pots of child welfare and prevention money. New York's federal allocations total less than \$35M; this compares to the state's \$607M child welfare investment with nearly half going to preventive services.

Real progress in meeting needs rests with systems of care, or vertical integration strategies. Financing strategies must encourage rapid adaptation to changing needs. The model of yanking a child from home, placing them in care and hoping time will yield solutions doesn't work. Our business is in preventing and reducing harm and limiting lengths of stay when out-of-home care is needed. Keeping at-risk youth in home, in community and in school, with wrap-around services to families is how children are kept safe and how families change. Per diem

funding mechanisms and patchwork prevention strategies will not get us where we need to go.

Child welfare is charged with promoting safety, permanency and well-being for children. Safety and permanency concerns drive our current funding strategies. Well-being, however, requires a very different lens; it is far beyond child welfare's reach to do this alone. Careful re-thinking will be required.

Funding only within service silos doesn't work.

Integrated financing streams are needed, strategies that encourage looking broadly to leverage other systems. Typically, we imagine trading foster care savings for preventive investments. Instead, we need funding strategies that look at our entire system of care: classroom investments to save downstream child welfare costs; maltreatment prevention for adolescents to impact juvenile justice spending; and home visiting that carries savings into adulthood.

Pay for performance and base programs on evidence. Preventive investments should be grounded in evidence, paid for on a performance basis and should demonstrate achievement of desired outcomes.

Financing should support policy direction.

Foster care allocations should be based on need. Currently, historical spending drives most of the block grant allocation. OCFS should develop a sounder methodology that more directly rewards achievement of safe foster care outcomes, to include placement stability, re-entry rates and preparedness for successful living.

Technology must support practice. To know what really happens, we need to see families over time and across all the helping systems that they touch. Our data systems need to share data seamlessly with companion systems.

Mandate shared, cross-systems outcomes.

Agencies pay attention to what they are held accountable for. State agencies that serve children should be required to develop and report on cross-systems outcomes. It is clear: children and families who cross agency service systems are among the least well served and the most expensive in our state.

The state's current financing strategy is inadequate to achieve the real goals of child welfare. And, allowing the current structure to lapse without a careful plan to meet today's challenges solves nothing. Extending the current structure while developing options and adjusting to changing federal players and priorities, seems the only rational course.

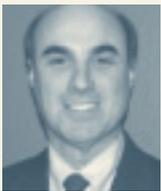
AN INTERVIEW WITH MICHAEL WEINER

Commissioner of Social Services Erie County New York

Erie County has saved over \$29M by reducing foster care placements by 42% from 2000 to 2008.

How many children and families do you serve in Erie County in the child welfare system?

Answer: We expect to conduct over 10,000 Child Protective Services (CPS) investigations in 2008, an approximate 10% increase in reports requiring investigation from the previous year. In 2006, we completed 9,118 investigations and in 2007 we completed 9,403 investigations. I believe there are two primary reasons for this increase. First, regulatory changes have led to more mandated reporters making calls to the State Central Register. Second, we see more calls coming in from neighbors, schools and others due to the visibility of high profile cases where a child has been seriously injured.

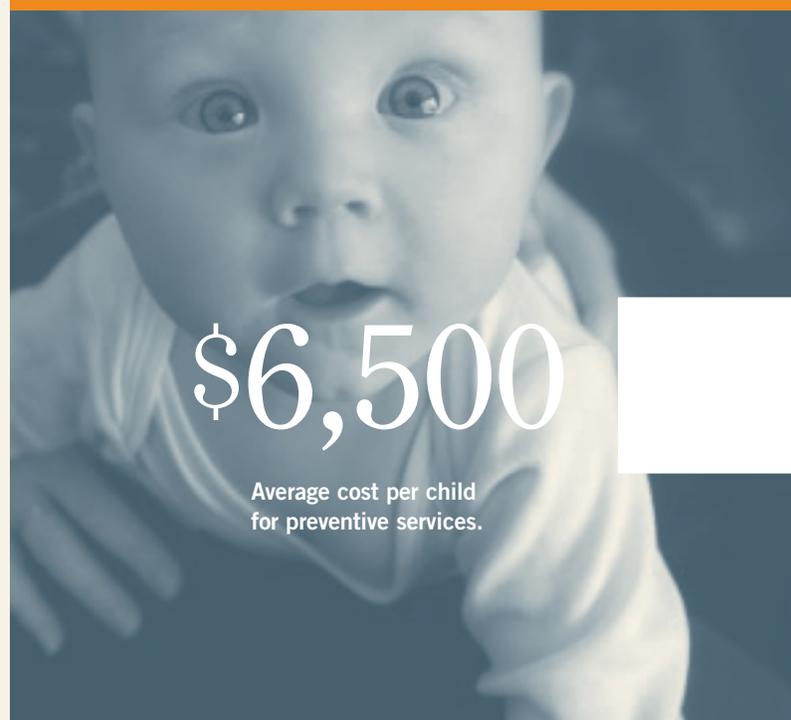


MICHAEL WEINER

Over the years, we added child welfare staff to address this increased volume but we are equally frustrated by the continuous attrition of workers and the current environment for hiring qualified staff by virtue of civil service rules and the presence of a Fiscal Control Board. Consequently, we plan to offer a new initiative called Family Assessment Response in 2009. This approach, which is allowed by law and utilized in other states across the country, gives us the opportunity to provide less serious CPS cases with preventive services rather than conducting a complete investigation. We are also in the process of developing Memorandums of Understanding with the 29 school districts within Erie County. This will allow us to redirect our resources and to identify families in need of services much sooner before a CPS report is even necessary.

In addition, ongoing mandated reporter training is absolutely necessary to eliminate confusion and gain understanding as to the kinds of situations that require that a report be issued. Furthermore, marketing efforts must consistently reach families with messages about the effective ways of caring for newborns, and that services and Safe Havens are available.

Cost of preventive services versus foster care in Erie County



What about your Foster Care and Adoption services?

Answer: In Erie County, we are very proud of our work with children and youth who previously would have been removed from their homes and placed in foster care. As of August 2008, we had just over 1,000 youth in foster care; 400 of whom had a goal of adoption; we have just over 2,000 children who are adopted receiving adoption subsidies. Our favorable foster care placement rates continue to decrease. Over the past few years, we received financial incentive awards for meeting certain adoption targets. It is important to point out that as children reach their teens in foster care, finding families willing to adopt becomes more challenging. Consequently, we need to do a better job of supporting such youth as they age out of foster care and move into independent living situations.

What does all this cost?

Answer: In Erie County, on average we spend about \$6,500 per year per case for preventive services. The average annual cost for foster care is \$45,000 per child and we average approximately \$90,000 per year for residential placements (exclusive of educational costs). Overall, we expect to spend over \$61M for foster care payments to providers and for adoption subsidies in 2008. We also have contracts for preventive services totaling

over \$16M for the same period. There are additional administrative and staffing expenses not included in these estimates for supporting youth in preventive, foster care and residential services. It should be obvious to all of us that prevention and early intervention services are more cost-effective strategies that generate better overall outcomes for children and families.

How important are preventive services to the work you do? Are you able to offer evidenced-based services?

Answer: Preventive services are extremely important and a most critical element in achieving a community-based continuum of care approach. In essence, preventive services limit the use of high-end services like foster care and residential placements unless absolutely necessary and in the best interest of the child. In Erie, we promote evidenced-based practices and provide a full range of preventive services wherever possible. One way we have been able to accomplish this is by creatively utilizing various funding streams across departments that offer a system of care wrap-around approach in support of cross-system involved youth and their families. For example, we experienced a substantial increase in care coordination slots from a capacity of 180 three years ago to over 400 currently and have expanded capacity in Multisystemic



In 2008, we have been able to hold community-based providers harmless to these [budget] cuts. However, further cuts will likely leave us no other choice but to pass along those cuts through our contracts with community agencies...

Therapy and Functional Family Therapy as well. We also developed a number of highly effective school-based programs and co-located services using donated funds to match state and local dollars. For example, in 2006, we were able to generate \$1.5M

in donated funds to support this expanded work. In addition, Community Optional Preventive Services (COPS) funds have been particularly important in giving us the flexibility we need to achieve better outcomes for children, youth and their families.

We have taken full advantage of our Federal SAMSA grant in concert with other funding streams like the Flexible Fund for Family Services (FFFS) and Preventive services to reduce the number of children in residential placement in Erie County. Four years ago we had 260 Residential Treatment Center placements. Today we have less than 100 through the first eight months of 2008. In response to this trend, our residential providers are redefining their services to offer community-based programs like wrap-around services. Previously, we kept kids away from their community, school, and family for too long with an average loss of 13 months of school. This caused too much disruption in their lives and we did not get the outcomes families desired. We are doing better by keeping kids at home and in their communities with appropriate and necessary supports.

Are you able to follow your families, their progress, and outcomes to know whether or not you are making good investments with the data system in place?

Answer: Our staff has mixed reviews about Connections. It has been helpful in providing access to historical information and for the creation of a single electronic case record for all designated service providers. But our staff spends entirely too much time at the computer working on the system when they should be out in the field working with families. They also struggle with getting

appropriate data to meet their needs and the system is far from integrated with other data systems like those supported for public benefits, the public schools or the Office of Court Administration. We simply cannot connect the dots between services across systems, dollars spent, and outcomes achieved.

We also have limited performance information about our contract agencies and have recently embarked on a local plan to develop report cards using performance data on preventive services to more effectively track service outcomes.

You know that additional cuts to the New York State budget are likely. If you could wave a magic wand, what would you do?

Answer: First and foremost, even in a tough fiscal environment, we need to spend more federal, state and local resources on children who are our future. And we need funding streams that are predictable, stable and based on locally identified needs. Obviously, all the local departments of social services commissioners are fearful that in the wake of the state fiscal crisis, Preventive funding (65/35) will be less available to local districts. This funding stream is up for renewal in 2009. Preventive funding has already been cut and COPS funding has been frozen and given the trend for increased service demands in certain child welfare areas, existing services will be challenged to maintain a level of care consistent with this demand. And, there needs to be awareness and sensitivity to the existence of poverty and the role it plays in the provision of protective and preventive services.

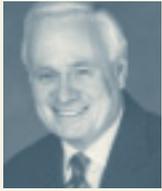
While we continue to examine methods for being more effective and efficient in service operations, we are concerned about further state budget cuts. In 2008, we have been able to hold community-based providers harmless to these cuts. However, further cuts will likely leave us no other choice but to pass along those cuts through our contracts with community agencies. Simultaneously we will examine the value of certain discretionary programs and re-examine ineffective, poor performing services.

CUTTING HOME VISITING: PENNY WISE AND POUND FOOLISH

Studies have shown that preventive programs produce better outcomes for children.

By addressing problems at an early stage, preventive programs are able to reduce use of far more expensive options such as foster care.

While the birth of a baby should be a joyous occasion, for teenage parents or new mothers who find themselves isolated from family and support, it can be a time of great stress. Pregnant and with little idea how to care for a new



SENATOR
MARTIN GOLDEN

baby, who does a young mother turn to? Add to that challenge poverty, depression, or substance abuse in the household, and a time of joy can become a time of great risk for the newborn. Child rearing is demanding under the best of circumstances; in many families, domestic problems and

societal pressures make it even harder. Some fortunate young women have gotten the help they needed, help that came right to their homes at just the right time. Home visiting program staff came with information, guidance, support, and education.

The challenges faced by expectant teens and young mothers are familiar to State Senator Martin Golden, a strong supporter of home visiting. “Coming from New York City and having been a police officer, I know what

life is like behind people’s doors. I have witnessed first-hand the impact of abuse and I have worked to eliminate it.” Golden notes that getting services to families at risk has a definite impact. “We know what works. It’s time to put together comprehensive home visiting coverage in the state. It is always a fact that prevention is cut when hard choices have to be made,” Senator Martin Golden remarked.

“But for a small investment, these programs save actual dollars and continue saving in terms of the need



ASSEMBLYMEMBER
WILLIAM
SCARBOROUGH

for fewer services through children’s lives. Most importantly, the savings will be in fewer children who are victims of abuse and neglect,” states Assemblymember Scarborough, Chair of the Assembly Children and Family Services Committee, another strong home visiting advocate. It’s all about priorities”, continued Assemblymember

Scarborough. “These services have the potential to save lives and families. We can short-circuit and correct these

Nurse-Family Partnership

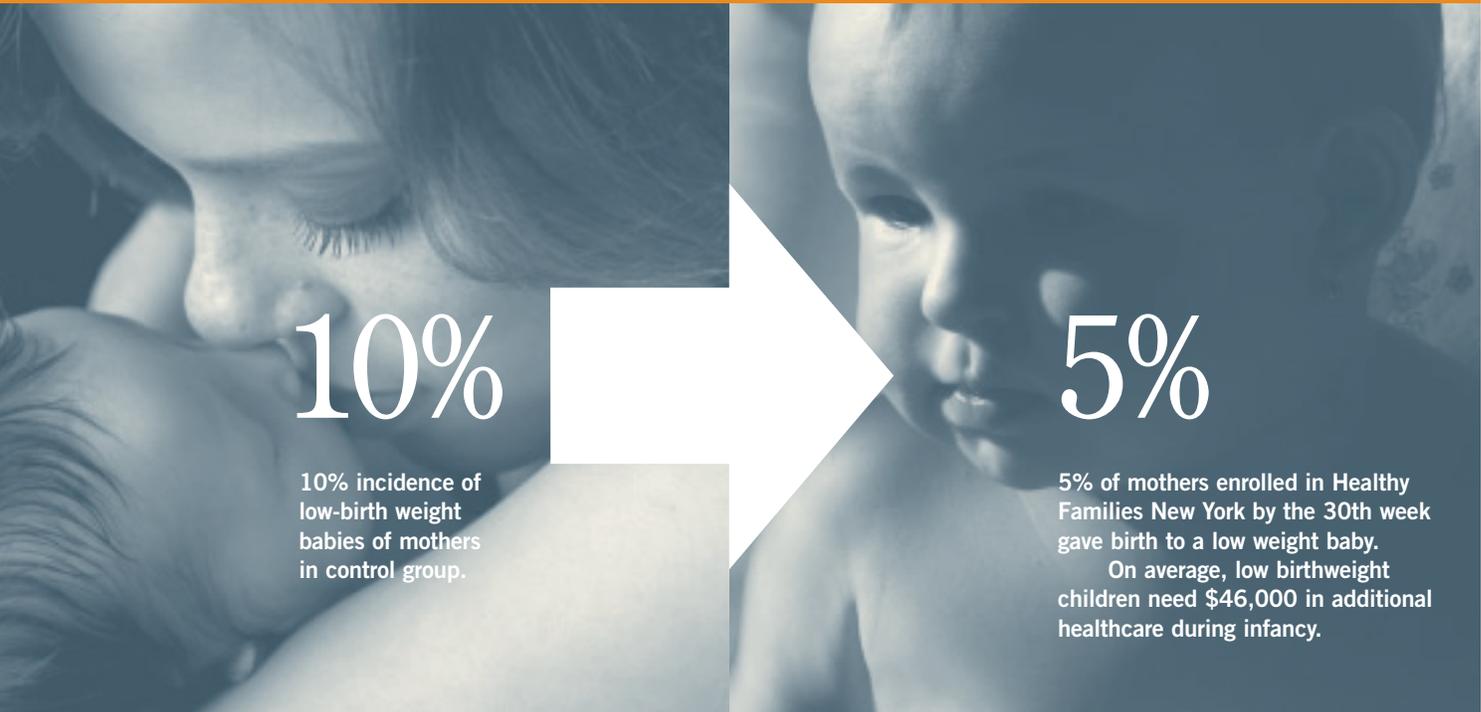
\$1

For each one dollar spent



\$5.70

\$5.70 return on investment



10%

10% incidence of low-birth weight babies of mothers in control group.

5%

5% of mothers enrolled in Healthy Families New York by the 30th week gave birth to a low weight baby. On average, low birthweight children need \$46,000 in additional healthcare during infancy.

problems before they blow out of proportion.”

Both Senator Martin Golden and Assemblymember William Scarborough agree that cutting preventive services is simply penny wise and pound foolish.

Home visiting is a special program that offers direct, in-home pre- and post-natal services to families. Home visiting provides direct services and needs assessment, connecting families to tailored services and supports.

Simply reducing low birth weight babies results in huge cost savings, since these children require costly additional healthcare that averages \$46,000 in infancy and \$87,000 during their first seven years of life.

The program has a proven track record, resulting in positive child-rearing, healthy child development, and increased life skills for parents. For instance, it helped an impoverished mother living in a homeless shelter, who

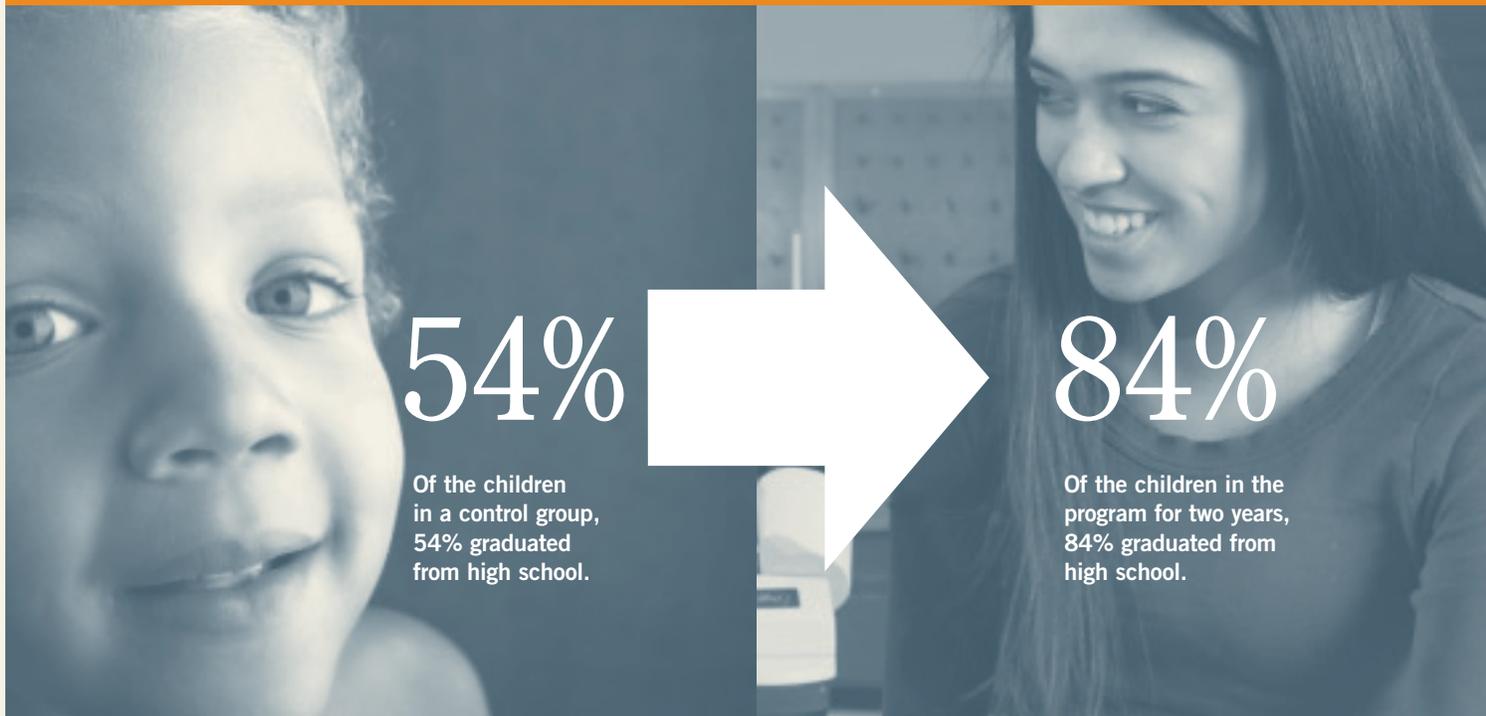
found support through Healthy Families Staten Island. After completing the program, she attended and graduated from college, and now works as a language tutor. Her story is typical of those served by home visiting programs.

Mounting evidence suggests that not only can services like home visiting save children and families, they save money. Susan Mitchell-Herzfeld, Director of Bureau of Evaluation and Research at the New York State Office of Children and Family Services, reports that her agency began a randomized controlled trial of Healthy Families New York in 2000, and is currently examining effects on

children who are now seven years old. Researchers will report on the programs’ long-term effects on parenting practices, cognitive functioning and school performance of their children.

According to Mitchell-Herzfeld, the Healthy Families evaluation shows positive gains among program participants in the areas of birth outcomes, parenting, and access to health care. The rate of low birth weight in newborns decreased by half among those whose mothers entered the study at the 30th week of pregnancy or less. Reducing the number of low birth weight babies results in huge savings, since these children require costly additional health care that averages \$46,000 in infancy and \$87,000 during their first seven years of life. Equally important, the evaluation found that Healthy Families is effective in reducing the incidence of child abuse and neglect, particularly for first-time mothers under age 19 who receive assistance early in pregnancy.

While the impact of these programs on infants and young children is impressive, the effects continue much longer. The Parent-Child Home Program, a pre-literacy home visiting program, followed children through high school. They found that 68% who were enrolled in the program for one year graduated from high school compared to a 54% graduation rate among those who did not have the program at all. And, 84% of those who participated in the program for two years received a high school diploma.



54%

Of the children in a control group, 54% graduated from high school.

84%

Of the children in the program for two years, 84% graduated from high school.

Nurse-Family Partnership, Healthy Families NY, and The Parent-Child Home Program are three models of home visiting programs. Several others also provide service in New York State including: Early Head Start; Home Instruction for Parents of Preschool Youngsters (HIPPY); Parents as Teachers (PAT); New Mothers Wellness Project; and Community Health Workers Program. National data estimates the cost of home visiting programs at \$5,000 to \$9,000 per child. Yet for each dollar invested, they enjoy a return between \$2.24 and \$5.70 due to improved child outcomes.

Unfortunately, insufficient state funding means there are too few programs to meet demand. There are gaps in populations and locations served. In the current 2008-09 budget, Healthy Families NY was funded at \$25.2M. In two rounds of budget cuts over the past year, funding was cut by 7.9%. A moratorium was placed on Community Optional Preventive Services (COPS) contracts, through which other home visiting programs are funded, notably Nurse-Family Partnership.

The need far exceeds resources, according to Peggy Sheehan, Healthy Schenectady Families. “Our capacity at this point is 150 to 170 families, but to meet the need we could easily serve 300 to 350. We have to piece together

funding to make it all work: county funds; foundation support; Healthy Families NY grant; Children and

While the impact of these programs on infants and young children is impressive, the effects continue much longer.

Families Trust Fund grant; and a small United Way grant.” But each funding source requires onerous paperwork that Sheehan says takes away from the delivery

of a vital service. “We need funding that allows us to provide service instead of spending so much time seeking funding and reporting back to the funders. To maintain quality programs, I need to concentrate on program delivery and not on survival.”

Andre Eaton, New York State Regional Coordinator of The Parent-Child Home Program, agrees. He views home visiting as essential for working with the youngest children, but notes that the program is often regarded as a low priority among state policy makers. “Costs are greater if we don’t invest early,” Eaton notes.

What do these services mean to program recipients? For many young women, everything. They gain self-esteem, receive information and skills to help them raise their children, and find the support they need to finish school and get a job.

1 Universal Prenatal/Postpartum Care and Home Visitation: The Plan for an Ideal System in New York State, October 2007, SCAA, http://www.scaany.org/documents/home_visiting_white_paper.pdf

2 Source: Nurse-Family Partnership: Effective and Affordable – What’s Not to Like About It?, January 2008, http://www.nursefamilypartnership.org/resources/files/PDF/Fact_Sheets/NFPCostBrief.pdf.



A CASEWORKER'S DAY **Melissa's day was a typical work day involving several consultations, visits**

Early morning: Work each day is centered on when one's unit is up in the rotation to receive new reports.

Melissa arrived early to get caught up on case notes, make calls, and go over her cases with her supervisor.

Caseworkers must initiate an investigation within 24 hours of receiving a new report, complete a safety assessment within 7 days and make a determination within 60 days.*

Before long, she had talked with another CPS worker about a new case, a pediatrician, two teachers, and NYS Probation officials.

Gail, a casework supervisor, began her day with a quick look at the new cases that came in overnight. She held a brief unit meeting and individual consultations with her seven caseworkers. The end of the month is two days away and each caseworker must close out 10 cases by that time to meet their practice standard.

Mid-morning: A team approach is often utilized in the field. Melissa and a fellow caseworker left to visit a client at a day treatment program. The two of them worked with the client to develop a safety plan and to link her children to out-of-school time programs.

Gail continued to monitor the new reports coming into

A workload of 12 active investigations per month is recommended. Most caseworkers carry a load that is almost double that standard.*

the county, simultaneously reviewing cases for closure and consulting with her caseworkers. She filled in for one of her caseworkers and met with a family. Two orders came from Family Court for CPS to do an investigation and report back to the court.

Lunch time: There is no time for lunch today as the unit begins to receive new reports. Back at the office, Melissa took a few minutes to check her messages and return two phone calls before she was assigned a new report. She immediately called the report source and connected with CPS in another county to coordinate work on the case. Since the report crossed two counties, she will serve as the "secondary" on this one.

Gail took a quick break and came back just as the unit began to receive new reports for investigation. She ate her lunch while making case assignments and conducting information checks on those named in the reports. She has access to several databases and calls the report sources herself because her caseworkers are out in the field.

Early Afternoon: An appearance before family court can take hours out of a caseworker's day. Melissa appeared in family court regarding a petition before the Court only to have the case adjourned. Some districts have been able to make special arrangements with the court to

Caseworkers spend an average 6.5% of their time performing court-related work.*

reduce this waiting time. Fortunately, portable technology has helped some caseworkers use this time productively.



out in the field, a new report to investigate, a trip to family court, and many phone calls.

By now the unit received new reports for each of the seven caseworkers, each requiring a full investigation within the timeframes set by law. If one of the unit's workers is out sick or on vacation, the other caseworkers pick up the load for that worker.

Mid-afternoon: Travel to the outer areas of the county can take a chunk of time out of a caseworker's day. Melissa's new report meant she had to travel to a day care facility to check on the well-being of a six month-old. She met with day care staff who called in the report and the deputy director of the facility to gather information on their experience with the family and details as to what they witnessed that morning. Melissa began to worry about whether or not she could make

her other appointments that afternoon.

Gail did background work, made assignments and paired workers to make field visits for each of the new cases. Two of

the new reports are quite serious, so she asked her workers out in the field to make these new cases a priority. She asked her caseworkers to make sure that the children named in the two reports receive immediate medical attention at a doctor's office or at a hospital.

Late Afternoon: As the day winds down there is more to do and work that did not get done. On her way back to the office, Melissa stopped at three houses to meet with family members. She wanted to make one last visit before closing one of her cases. Mother and baby seemed

to be doing fine. At another stop she found no one at home. On the third stop she met with a mother and her 17-year-old son. Melissa returned to the office and finally grabbed lunch while she made arrangements to meet a family at school the next morning. She had planned to go to two schools to interview students but will have to meet them tomorrow.

Overall, the average CPS case receives 5.5 hours or less than one day's work in case-related service per month.*

Back at the office Gail maintained constant contact with her caseworkers in the field and with reporting sources, often working two phones at once. She also kept her supervisor informed of the situation in the serious cases. Meanwhile, one of her caseworkers called to inform her that a child must be removed from her home, a report called in the day before. Gail worked to find that child a placement. She did not leave for the day until she had confirmed that the children had been seen by medical personnel and that the child removed was safely placed.

Both Gail and Melissa wondered what the next day would bring.

* New York State Child Welfare Workload Study, Walter R. McDonald & Associates, 2006.

RECOMMENDATIONS

REALIGNMENTS, REFORMS AND REINVESTMENTS

The New York State Citizen Review Panels' 2008 recommendations propose areas for realignment, reform, and reinvestment in order to achieve both improved outcomes for children and their families and cost savings during this fiscal crisis. Any budget cuts will have enormous impact on the system and the first priority must be to protect our children and meet their needs. At the same time some budget cuts would enable New York to move toward a reformed system. Much attention has already been placed on improving foster care and adoption to advance child safety and permanency. Attention must also be focused on child well-being and on changes to the child protective system (CPS), the front door of child welfare, in order to keep that door from becoming a revolving door.

The panels strongly recommend that 50% of any cost savings be reinvested into the child welfare system.

SYSTEM REFORM

In the *New York State Citizen Review Panels for Child Protective Services 2007 Annual Report and Recommendations*, the three NYS panels called for a review of the current laws, policies and practices to assess whether or not state and federal legislation over the last twenty-five years have led to improvements in child safety, permanency, and well-being. In that same report, panel members asked whether or not it was time to rethink New York's child protection system, the front door to child welfare, in order to achieve better outcomes for children and families. The New York State Office of Children and Family Services (OCFS) began that review and will require a substantial period of time to thoroughly assess the system and to make recommendations.

The panels commend OCFS's responsiveness to last year's recommendation and ask that once a commission or task force is formed, this entity link to the three

New York State Citizen Review Panels. Panel members ask that one member from each panel have a seat on this commission, that any drafts of reports or recommendations be submitted to the panels for review and comment, and that the panels' leadership receive bi-monthly progress reports.

Any system reform should address concerns with the system that have been voiced by experts for over a decade. These areas include:

- 1) the over-reporting of some and the under-reporting of others;
- 2) the capacity of the system to respond given the volume of reports;
- 3) service delivery which is often mismatched to the needs of families; and,
- 4) the orientation of agencies to provide a proper balance between investigation and service provision.

The CPS of the future should incorporate three major elements: a customized response to families that includes strong family participation; a community-based system of child protection; and, involvement of informal helpers who are already part of a child's life. The collection and analysis of data and careful evaluation of reforms, pilots, and/or initiatives should drive quality improvements. Ongoing monitoring will be required.

REFORM CHILD PROTECTIVE REPORTING

Over the last decades, the state has added responsibilities to the State Central Register (SCR). In 2007, the SCR received 312,000 hotline calls with concerns of child maltreatment, with an 11% increase in the first six months of 2008. In addition, the SCR received 6,000 requests for administrative reviews and administrative hearings and 216,000 requests for clearances of volunteers

and those seeking employment in human services. There was a 12% increase in volume for database checks in the first six months of 2008 over the first six months of 2007. It is time to take a look at the policies and practices related to the work at SCR to determine if these added responsibilities have led to greater safety for children. If not, they should be eliminated or revised to assure value has been added. The New York State Citizen Review Panels urge the state to:

Eliminate anonymous reports.

In 2007, the SCR accepted 135,641 reports for investigation, of which 19,199 or 14% were made by anonymous reporters. Of the 19,199 reports from anonymous sources, 15,857 or 82.6% were determined to be unfounded. This rate has been declining slightly. In 2001, the rate was 86%; in 2004, 84%. These reports result in a higher unfounded rate than reports made by mandated reporters (61.2%) and non-mandated, named reporters (75.6%). All reports, regardless of the source, require the same investigation.

their definition of neglect, including New York. In 2004, over 27,000 reports of child maltreatment were made in New York by mandated reporters in education, many of which alleged educational neglect. Education neglect (and PINS) reports are the education systems’ response to truancy. There are many reasons students are absent from school. Some are required to care for a relative or help parents with limited English proficiency by providing translation at important appointments. Older children may have given up, finding that they have fallen too far behind in the classroom. Other students may be concerned for their safety in school. Often, the reports come in May or June and name students who have been absent as much as 60 or more days of school. By this time, the youths named in these reports are failing and, for older youth, are well on their way to dropping out of school. CPS lacks the resources to help at this late stage. School districts should do more to intervene earlier and to support students and families. The SCR should not accept these reports unless schools have provided services and the parent simply refuses to send their child to school.

New CPS Reports	2001	2001 RATE	2004	2004 RATE	2007	2007 RATE
New Reports by all reporters	154,369		148,000		135,641	
Anonymous or Unknown reporters	21,988	15%	23,665	16%	19,199	14%
Reports from Anonymous or unknown reporters that are unfounded	18,918	86%	19,879	84%	15,857	82.6%

Data source: OCFS Data Warehouse; Data Analysis by Hornby Zeller & Associates; December, 2005; 2008 White Eagle Presentation.

A 1979 study of anonymous reports in the Bronx reviewed 1,037 anonymous reports, 129 (12%) of which were founded. None of the reports represented serious incidents of maltreatment. The panels encourage OCFS to study these anonymous reports through an analysis of data by physical, sexual, and neglect reports, and by indicated and unfounded determinations. Further, OCFS should report on the results and offer recommendations for changes or alternatives.

Eliminate Education Neglect reports.

While most of the panels’ recommendations address changes for OCFS to consider, this recommendation asks the State Education Department (SED) to make changes as well. Twenty-one states accept “failure to educate” in

Panel members ask SED to provide local school districts with model protocols and uniform definitions of educational neglect. Additionally, panel members ask that SED be required to provide the leadership, staffing, training, and technical assistance necessary to school districts to reduce truancy. Such assistance should lead to improved practices and skills on the part of school district personnel to keep children in school, improve outcomes for special education students, engage family members, develop links to community resources and enhance the reporting of child maltreatment concerns.

Review statutory requirements for SCR clearances to eliminate entire categories.

In 2007, the SCR conducted 216,000 clearances which cost over \$5,600,000. These checks are conducted on a broad range of people as required by Social Services Law, including prospective employees, volunteers and foster or adoptive parents. Thirty states allow or require such clearances for employment as a child or youth care provider. While some of these clearance categories are extremely important, these database checks result in a very low percentage of “hits,” less than 2%. However, they consume a great deal of time and cost \$26 each, for which the state receives approximately \$150,000 annually in fees. Additionally, clearances can jeopardize employment opportunities for those who have a past report that has been indicated when that record may no longer be relevant. Clearances can also give a false sense of security to those making hiring decisions. A criminal history check or clearance from the Sex Offender Register may be more appropriate.

Improve mandated reporter training after a review of both indicated and unfounded reports to increase the quality of reports made to the SCR.

Based on 2007 state data, mandated reporters made well over 60% of the calls to the SCR. Only 38% of their reports resulted in a determination of indicated. 61% of mandated reports were classified as unfounded, representing a large number of families who experienced the intrusion of a full and perhaps unwarranted investigation.

Panel members recommend revising the content and frequency of the training for these reporters in order to improve the quality of their reporting, to improve their understanding of the circumstances for which a report is required, and to gain knowledge and skills to engage families and link them to community resources before each situation reaches the threshold for which a call to the SCR is necessary. Clear standards and definitions of terms, such as “suspicion,” should be detailed so that all reporters understand when a call to the SCR is necessary. Communication and collaboration between CPS and other professions should be improved so that feedback to reporters can be provided. OCFS should regularly monitor data on both indicated and unfounded reports by reporter type to assure quality and provide targeted education to continue to improve appropriate reporting.

INVEST IN PREVENTION

Working with families through engagement strategies and evidenced-based programs and services will be key to OCFS’s efforts to reduce recurrence and the costs associated with involvement with the child welfare system. Families must have available services such as safe housing, mental health care, substance abuse treatment, home visiting, and parenting education in order to better care for their children. To achieve child welfare outcomes, preventive services must be available through 65/35 and Community Optional Preventive Services (COPS) funding. The New York State Citizen Review Panels urge the state to:

Extend the current Child Welfare Financing Law until 2012 and restore 65/35 state/local funding for child welfare including COPS programs and services.

Children in the child welfare system are the state’s most vulnerable children and are most likely to have health, social and educational difficulties that result in negative and costly outcomes as youth and adults. They and their families come into the system requiring multiple, cross-systems services to build skills, provide safe environments, address child development and health issues, treat substance abuse and alcohol problems, and identify and stabilize mental health issues. Without a link to preventive and wrap-around services funded through 65/35 and COPS funding, these families will cycle through the system repeatedly.

The panels recommend extension of New York’s Child Welfare Financing Law to 2012 and a return to a 65% state share for child welfare services, including protective, preventive, adoption, aftercare, and independent living services. In the 2008-09 Budget, this share was cut 2% to 63.7%. Also affected in the 65/35 provision are COPS, funds which can be used for services to children and families not known to the system, in school, mental health, and other settings. Most importantly, this funding allows a local district greater flexibility in offering wrap-around services to meet families’ needs and allows public/private partnerships in the provision of services. These are not “optional” services; they are vital services that help keep children safe and prevent entry into CPS and foster care.

According to OCFS sources, spending for COPS totals nearly \$30M or about 2% of the total \$1.2 billion, 65/35 spending. As an example, Probation Departments use COPS funds for essential and required services based on the results of an assessment using the Youth Assessment and Services Inventory, an evidence-based tool. COPS supports home visiting services such as the Nurse-Family Partnership program which results in improved prenatal health, fewer childhood injuries, fewer subsequent pregnancies, increased intervals between births, increased maternal employment and improved school readiness.

Any changes to the Child Welfare Financing Law will be premature at this time. OCFS must have time to conduct a thorough review of the system and to offer recommendations for change. In addition, OCFS and Administration for Children's Services (ACS) have undertaken several initiatives and pilot projects which offer promise but are too new to show results through an evaluation. These efforts include Family Assessment Response (FAR), ChildStat, the teaming approach, and family engagement strategies including family case conferencing and use of parent advocates. The extension of the Child Welfare Financing Law will allow time for evaluation of these initiatives, their outcomes and recommendations for changes to inform any revisions.

Continue to provide leadership and support for implementation of the Family Assessment Response (FAR).

Panel members encourage OCFS to continue its strong leadership and support for the implementation of FAR in local districts throughout New York. Six counties have begun FAR implementation and another six have expressed interest in offering this alternative to traditional child protection investigations. Evaluations of this approach in other states show clear results which benefit children and families. Similar results are expected in New York State. In view of serious workload management problems, New York may want to consider the feasibility of requiring FAR in all counties in order to provide better, speedier service and to reduce recurrence.

Invest in home visiting programs and parent education programs.

Investment in home visiting programs is essential to meet vulnerable children's and families' needs and prevent harm to children. Evaluations of the Nurse-Family Partnership programs show a return of \$5.70 for every dollar spent. Participants enrolled in The Parent Child Home Programs for two years have higher high school graduation rates than those who have not participated in the program, 84% vs. 54%. And Healthy Families New York evaluations found reduced incidence of child abuse and neglect and improved parenting. The evidence is clear that home visiting is an essential investment.

Investing in evidence-based parenting education can prevent child abuse and neglect by providing new parents information to better care for their newborns, infants and toddlers. OCFS's *Babies Sleep Safest Alone* campaign to reduce co-sleeping deaths is one example of a media campaign bringing important prevention messages to large numbers of families. These campaigns require evaluation to determine whether or not they achieve the outcomes desired. Further, offering these messages in additional languages and using technology to reach more families should be considered.

ADDRESS RACIAL DIFFERENCES IN CHILD WELFARE

Panel members support OCFS's work to address disproportionate minority representation (DMR) in child welfare. The GAO's Report, *African American Children in Foster Care*, refers to the National Incidence Study finding that there is no significant racial difference in incidence of maltreatment. Yet children of color are overrepresented in the foster care system. The same is true for all stages of the child welfare system. Attention should be given not only to African American and Latino children, but also to Native American children as they are more likely to experience bad outcomes.

Add Racial and Ethnic Disproportionality and Disparities as a priority within OCFS's mission and vision.

The panels support the recommendations in the GAO report calling for the expansion of data broken out by race/ethnicity and funding for subsidized guardianships. While it is difficult work to investigate why children of color enter and progress through the child welfare system at greater percentages, it is necessary work. It may be that these children could be better served outside the child welfare system or that staff who have received cultural competence training would make different decisions. Offering subsidized guardianships will allow children from all racial and ethnic backgrounds to be placed with a loving relative who could not otherwise afford to provide care and will benefit all children, not just children of color. The panels ask OCFS to expand MAPS data to present breakdowns for all entry and decision points and to offer subsidized guardianships. Workforce training is also needed to develop cultural competencies. In addition, the panels encourage OCFS to adopt this work as part of its mission/vision.

More information is also required to understand if there are any differences in how Asian Pacific American children and immigrant children are treated within the system. The ACS Task Force on Racial Equity and OCFS's workgroup should conduct a review to gain understanding and to make specific recommendations that address the unique needs of these populations.

INVEST IN THE CHILD WELFARE WORKFORCE

A quality workforce is essential to achieve desired outcomes in child welfare. The workforce has experienced a high degree of turnover, is overwhelmed with large workloads that are almost double the recommended levels, and has not been given the appropriate time to do the job. For too long, policy makers have passed laws that increase regulations, regimentation, and accountability for workers when news of another child death reaches the media. What is required is a workforce that has accrued the necessary training, experience, and critical decision-making skills to work with families with complex needs. The New York State Panels urge the state to:

Revise civil service requirements for child welfare positions.

The job responsibilities in child welfare require staff with specialized education, critical thinking skills, and an ability to engage families in order to be successful on the job. Districts need workers who can quickly and accurately assess situations and families' complex needs and make good decisions which will have lasting affects on children.

Unfortunately, New York continues to look at these positions as entry level and requires a basic civil service exam which has no relationship to the job responsibilities for the position. If a choice applicant does not score at a high enough level on the test, civil service rules prevent districts from hiring that applicant even when well-suited to the job. Such rules have kept some applicants with Bachelor's and Master's degrees in social work (BSW and MSW) and internship experiences in child welfare from child welfare positions. It is time for state and local civil service departments to join with local district commissioners to explore improved protocols for recruitment and selection of qualified applicants. Tools such as behavioral interviewing, validated pre-screening instruments, and specifically designed training and education programs should be integrated into the scoring of eligible candidates.

Improve recruitment/retention practices.

The process for hiring the child welfare workforce must be reviewed with the understanding that child welfare workers should possess specialized skills. Changes should lead to targeted recruitment, incentives to attract BSW and MSW candidates, improved hiring decisions and a reduction in costly turnover.

Currently, a district spends on average \$27,000 when a worker leaves or retires to hire and train a new person to fill that position. Many districts experience high turnover. ACS is testing a new recruitment and hiring process that is designed to: 1) present a more realistic view of the job; and, 2) use a behavioral interviewing process with trained interviewers to identify those with the qualities who do well in child welfare and are more likely to remain in the position. The results indicate potential applicants self-select whether or not to continue with the application process. The model has the potential to improve hiring decisions and reduce training expenses.

This initiative could serve as a model for other districts throughout the state.

Additionally, while it is very important to have a racially and ethnically diverse workforce, it is extremely important that the workforce also be culturally competent. Panel members suggest offering pay incentives to increase the number of bilingual staff and adding cultural competency training to the CORE curriculum.

Enact legislation to mandate workload standards for child welfare.

The workforce simply cannot keep children safe with workloads that are nearly double the recommended standard. Yet, workers are asked to be accountable for the difficult decisions they make without being given the time or resources to do the job. The 2006 Walter R. McDonald & Associates New York State Workload Study recommends caseload levels of 12:1 to 16:1 depending on a position's responsibilities. Over time, the system has accepted more reports for investigation and asked more of child welfare workers without considering capacity of the workforce to meet these mandates and without sustainable investments in the workforce. In the 2008-09 *Budget*, only \$1.79M was provided for caseload reductions. There is a NYS statute that prevents OCFS from mandating workload sizes. Panel members recommend revising this statute to provide OCFS with the authority to set workload standards.

FEDERAL AGENDA

Pass the Starting Early Starting Right Act, an act that increases the funding and quality of available child care through revisions to the Child Care and Development Block Grant (CCDBG).

Access to high quality child care is essential to families struggling to balance care for their children with job responsibilities. The CCDBG is the major source of federal funding for child care initiatives, giving states funds to help low-income families pay for child care and to strengthen the quality of child care available. New York State experienced a decrease in CCDBG funding that resulted in 46,000 fewer children using subsidies from 2003-04 to 2007-08. Another 10,000 children are estimated to be unable to access a subsidy in the state fiscal year 2008-09. The NYS Child Care

Coordinating Council estimates that out of the more than 652,600 children who are eligible for subsidies, 281,328 children require support, a 50% take-up rate. During the 2007-08 fiscal year, the number of children who received a subsidy for any time during that year totaled 213,000. Many went unserved. These subsidies are vital to keeping families employed and providing quality early care and education.

The New York State panels join with the National Women's Law Center, the Child Welfare League of America, the Early Care and Education Consortium, the American Federation of State, County and Municipal Employees (AFSCME), the National Association for the Education of Young Children (NAEYC), NACCRRA, Voices for America's Children, and many others in support of S2980, Starting Early Starting Right Act. This bill amends the CCDBG with a focus on improving quality and increasing funding by \$50 billion over five years to assist states in supporting families' access to quality care.

Fix the Foster Care Lookback provision so that more children in foster care can be supported with Title IV-E funds.

In 2007, the Pew Charitable Trusts issued its report, *Time for Reform: Fix the Foster Care Lookback*. The report documents the erosion in the number of children in foster care supported with federal funds because eligibility for Title IV-E funding is tied to 1996 AFDC income eligibility levels. Nationally, about 5,000 children lose eligibility yearly and over \$1.9 billion in funding costs have been shifted to the state and local levels. In New York State, 20,100 or 14% fewer children qualified for federal support in 2004 than in 1998 leading to a loss to New York State of at least \$100M a year in federal funding. In 2004 in NYS, 40% of the children in foster care (13,302 out of 33,445) did not meet the eligibility threshold. IV-E funds were not available to provide resources to help these children reunite successfully with their families; provide them with safe, loving out-of-home care, or to find them a permanent family if they are unable to return home.

The New York State panels join with the Pew Commission on Foster Care, the National Governor's Association, New York State Office of Children and Family Services and advocates nationwide in support of fixing this provision.

2008 PANEL ACTIVITIES



Western Panel

MARCH 14, 2008 MEETING

Panel members discussed educational neglect issues with Charles Carson, Legal Counsel for the NYS Office of Children and Family Services. Panel members identified areas of concern and planned their June meeting as a continuation of their interest in the topic of education and the reporting of child maltreatment by inviting the 17 social services commissioners in the Western Region to the meeting.

JUNE 13, 2008 MEETING

Panel members met to review the OCFS response to the panels' 2007 Report and Recommendations, and to receive updates. The second portion of their meeting was devoted to a discussion with Commissioners of Social Services, Deputy Commissioners, and Directors of Services from the 17 county region of the Western panel. Their input centered on the reporting of child maltreatment by school districts, workforce issues, and initiatives in child welfare.

SEPTEMBER 12, 2008 MEETING

Panel members reviewed the input received at their June meeting and reported on interviews conducted by panel members with school personnel regarding the reporting of child maltreatment, especially when there are concerns related to educational neglect. Such reporting varies greatly across the state with no uniform protocols or definitions. The panel received an update from OCFS personnel on counties' plans for implementation of the Family Assessment Response for November and January.

NOVEMBER 14, 2008 MEETING

Karen Schimke, President/CEO of SCAA, presented an overview of Child Welfare Financing. Panel members received updates on potential budget cuts and provided input into OCFS's review of the child welfare system and potential areas for reform.

Eastern Panel

APRIL 4, 2008 MEETING

Eastern panel members met with the Executive Director of the Permanent Judicial Commission on Justice for Children and the Deputy Statewide Project Manager for the Child Welfare Court Improvement Project. Panel members heard about information regarding various initiatives that have or will lead to court reforms to improve child well-being. Panel members also received an overview of the research on the child welfare workforce. Members approved the operating guidelines for the NYS panels and received updates on the budget and events in Albany.

JUNE 6, 2008 MEETING

Eastern panel members met with Casework Supervisors from Rensselaer and Albany Counties for their input regarding workload issues in child welfare. In addition, panel members heard from Greg Owens, Director of Special Projects in the Office of Strategic Planning and Policy Development at OCFS, with an update on work to address Racial and Ethnic Disproportionality and Disparities. Panel members reviewed the OCFS response to the panels' 2007 Report and Recommendations and received updates on the budget, proposed legislation, and recent OCFS forums.



SEPTEMBER 19, 2008 MEETING

Panel members received an overview of child welfare financing. Key issues for counties include the importance of 65/35 funding, flexibility to offer wrap-around services especially for cross-systems kids, and the difficulty in using donated funds. Federal funding decreases limit what can be done for children. The state has steadily lost Title IV-E funding due to the foster care lookback provision.

NOVEMBER 21, 2008 MEETING

Panel members gave input into OCFS's review of the child welfare system and potential areas for reform. They met with Jack Klump, OCFS Regional Director, for a discussion of Performance Improvement Plan (PIP) strategies and child fatality reviews.

New York City Panel

MARCH 4, 2008 MEETING

Panel members met with invited guests to receive feedback on their 2007 Panel Report and Recommendations. The child welfare experts offered their ideas to move the recommendations in the report forward. Panel members discussed next steps and received updates on the Executive Budget and events in Albany.

MAY 6, 2008 MEETING

Panel members met with family members from the Child Welfare Organizing Project. The panel's new members responded to the 2007 report and recommendations with their thoughts. The panel also discussed potential areas for collaboration with Commissioner Mattingly and the Administration for Children's Services (ACS)

JUNE 17, 2008 MEETING

Panel members met with staff from ACS to discuss the OCFS Response to the Panels' 2007 Report and Recommendations, a review of various child welfare meetings held in the state, ChildStat, and the work to be done by a new task force on Family Court reform. The panel forwarded several recommendations to the task force.

SEPTEMBER 9, 2008 MEETING

Kathleen DeCataldo, Executive Director of the Permanent Judicial Commission on Children, presented the accomplishments of the Commission and its initiatives, including Model Courts, the Court Improvement Project, Sharing Success conferences, and Adoption Now efforts. Liz Roberts, ACS Deputy Commissioner for Family Support Services, gave a report on the work of ACS's Racial Equity Task Force. Thirty-five ACS staff are now trained through Uncovering Racism. ACS has outlined action steps for the next two years.

NOVEMBER 4, 2008 MEETING

Karen Schimke, President/CEO of SCAA, presented an overview of Child Welfare Financing. Panel members received updates on potential budget cuts and gave input into OCFS's review of the child welfare system and potential areas for reform.

DECEMBER 19, 2008 MEETING

Panel members met to plan and discuss a NYC specific addendum to the annual report with recommendations for NYC.



Joint Panel Meeting

OCTOBER 10, 2008 MEETING

Panel members from the three NYS Citizen Review Panels met with OCFS Commissioner Carrion, Executive Deputy Commissioner Bill Gettman, and Director of the Child and Family Services Review (CFSR) Renee Hallock to learn about OCFS priorities and initiatives, fiscal and programmatic; receive an update on their 2007 Report and Recommendations; and to receive an overview of the OCFS Performance Improvement Plan strategies in response to the state's Child and Family Services Review. Panel members also made decisions regarding their recommendations for their 2008 annual report.

OCTOBER 9, 2008

NEW PANEL MEMBER ORIENTATION

Newly appointed members from the three panels met to receive an overview of OCFS priorities and initiatives, federal and state child welfare funding and laws, and the work of the panels.

For the full minutes of these meetings go to www.citizenreviewpanelsny.org.

We especially thank Commissioner Carrion and her staff at the Office of Children and Family Services (OCFS) for the careful consideration given to the panels' 2007 report and recommendations. The Commissioner has embraced many of the panels' recommendations, including our overarching recommendation for a comprehensive review of the child welfare system. OCFS is providing strong leadership to the six local counties that have implemented the Family Assessment Response. We commend OCFS for establishing a Continuous Quality Improvement Unit, initiative to transform Connections, establishing a workgroup to address racial and ethnic disproportionality and disparities, and its support for youth aging out of foster care.

We thank Commissioner Mattingly and his staff at New York City's Administration for Children's Services who have generously given their time to the New York City panel. We also thank Commissioners of Social Services throughout the state and their staff who met with panel members and to all who took time to share their ideas with the New York City, Eastern and Western Panels.

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**FEDERAL LAW AND THE
CITIZEN REVIEW PANELS**

The 1996 amendments to the federal Child Abuse Prevention and Treatment Act (CAPTA) mandate that states receiving federal funding under that legislation create volunteer Citizen Review Panels. The purpose of these panels is to decide whether state and local agencies are effectively carrying out their child protection responsibilities. The federal statute broadly defines the work of the Citizen Review Panels.

The panels must meet not less than once every three months and produce an annual public report containing a summary of their activities and recommendations to improve the child protection system at the state and local levels. They must evaluate the extent to which the state is fulfilling its child protective responsibilities under its CAPTA State Plan by:

- Examining the policies, procedures, and practices of state and local agencies.
- Reviewing specific cases, when warranted.
- Reviewing other matters the panel may consider important to child protection, consistent with Section 106(c) (A) (iii) of CAPTA.

Following the order of federal CAPTA Amendments of 1996, the New York State Legislature passed Chapter 136 of the Laws of 1999, setting up no less than three Citizen Review Panels, with at least one in New York City. The other panels are in Eastern and Western New York.

Each panel has up to thirteen members; the Governor appoints seven, with the Senate President and Assembly Speaker appointing three each.

For further information please visit www.citizenreviewpanelsny.org or contact:

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