

EXECUTIVE SUMMARY
Final Report: Kansas Child and Family Services Review
March 2008

INTRODUCTION

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

The Kansas CFSR was conducted the week of June 11, 2007. The period under review was from April 1, 2006, to June 11, 2007. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the Kansas Department of Social and Rehabilitation Services (SRS)
- The State Data Profile, prepared by CB, which provides State child welfare data for fiscal year (FY) 2003, FY 2004, and FY 2005
- Reviews of 64 cases at three sites throughout the State, including 31 cases in Sedgwick County, 16 cases in Lyon County, and 17 cases in Douglas County¹
- Interviews or focus groups (conducted at all three sites and at the State level) with stakeholders, including but not limited to children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, service providers, court personnel, and attorneys

Background Information

The CFSR assesses State performance on 23 items relevant to seven outcomes and 22 items pertaining to seven systemic factors. In the Systemic Factors section of the report, each item incorporated in each systemic factor is rated as either a Strength or an Area Needing Improvement based on whether State performance on the item meets Federal policy requirements. Information relevant to each item comes from the Statewide Assessment and the stakeholder interviews conducted during the week of the onsite CFSR. The overall rating for the systemic factors is based on the ratings for the individual items incorporated in the systemic factor. For any given systemic factor a State is rated as being either "in substantial conformity" with that factor (i.e., a score of 3 or 4) or "not in substantial conformity" with that factor (a score of 1 or 2).

¹ Although the CFSR usually involves a review of 65 cases, during the Onsite Review, one case in Lyon County was eliminated because it did not meet the requirements of the sample.

Items relevant to the seven outcomes are discussed in the Outcomes section of the report. An overall rating of Strength or Area Needing Improvement is assigned to each of the 23 items, depending on the percentage of cases that receive a Strength rating in the case reviews. An item is assigned an overall rating of Strength if 90 percent of the applicable cases reviewed are rated as a Strength. Performance ratings for each of the seven outcomes are based on item ratings for each case. A State may be rated as having Substantially Achieved, Partially Achieved, or Not Achieved the outcome. The determination of whether a State is in substantial conformity with a particular outcome is based on the percentage of cases that were determined to have substantially achieved the outcome. Specifically, for a State to be in substantial conformity with an outcome, 95 percent of the cases reviewed must be rated as having substantially achieved the outcome. A State that is not in substantial conformity with a particular outcome must develop and implement a Program Improvement Plan (PIP) to address the areas of concern associated with that outcome.

ACF has set very high standards of performance for the CFSR. The standards are based on the belief that because child welfare agencies work with our country's most vulnerable children and families, only the highest standards of performance should be acceptable. The focus of the CFSR process is on continuous quality improvement; high standards are set to ensure ongoing attention to the goal of achieving positive outcomes for children and families with regard to safety, permanency, and well-being.

It should be noted, however, that States are not required to attain the 95 percent standard established for the CFSR Onsite Review at the end of their PIP implementation. ACF recognizes that the kinds of systemic and practice changes necessary to bring about improvement in particular outcome areas often are time-consuming to implement. Also, improvements are likely to be incremental rather than dramatic. Instead, States work with ACF to establish a specified amount of improvement or implement specified activities for their PIP. That is, for each outcome or item that is an area needing improvement, each State (working in conjunction with CB) specifies how much improvement the State will demonstrate and/or the activities that it will implement to address the areas needing improvement and determines the procedures for demonstrating the achievement of these goals. Both the improvements specified and the procedures for demonstrating improvement vary across States. Therefore, a State can meet the requirements of its PIP and still not perform at the 95 percent (for outcomes) or 90 percent (for items) level as required by the CFSR.

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

Because many changes have been made in the onsite CFSR process based on lessons learned during the first round and in response to feedback from the child welfare field, a State's performance in the second round of the CFSR is not directly comparable to its performance in the first round, particularly with regard to comparisons of percentages. Key changes in the CFSR process that make it difficult to compare performance across reviews are the following:

- An increase in the sample size from 50 to 65 cases

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

Special Features of the Kansas Child Welfare System

There are two somewhat unique features of the Kansas child welfare system that are useful to understand in reviewing the CFSR Final Report. One feature is that many of the child welfare services in Kansas are provided by private agencies through Child Welfare Community Based Services (CWCBS) contracts. Kansas has implemented this privatized service delivery system since 1996. Currently, contracts are awarded in five regions of the State. The CWCBS contractor agencies are responsible for providing family preservation, foster care, reunification, and adoption services throughout the life of a case. Once a child is referred to a CWCBS agency, the agency assumes full case management responsibilities and provides all necessary services to the child, family, and foster family, including foster care placement and collaboration with community resources to ensure community-based service delivery.

The SRS, through its regional offices, directly manages the child abuse and neglect investigations and the in-home services cases; provides overall management, quality assurance, and direction to the child welfare program; and monitors CWCBS agency performance and adherence to contract requirements. It should be noted that the CFSR process is designed to assess State child welfare systems, including contracted service providers when they are delegated to have full case management responsibilities. Therefore, it should be understood that for the cases in which the CWCBS agencies have full case management responsibilities, the CFSR process assesses those cases based on the actions and case practice of the CWCBS agencies. When reference is made to caseworkers who are providing foster care or adoption-related services, these caseworkers are employees of the CWCBS agencies. Throughout this CFSR Final Report, the contracted agencies are referred to as CWCBS agencies.

A second somewhat unique feature of the Kansas child welfare system is that, for a substantial number of children who come into contact with the child welfare system in the State, the primary reason for agency involvement is the child's behavior rather than abuse or neglect. In addition, a key "child behavior" problem that brings children into contact with the Kansas child welfare system is truancy. In the sample of cases reviewed for the 2007 CFSR, 15 (35.5 percent) of the 40 foster care cases involved children whose primary reason for contact with the child welfare system was noted to be "child's behavior"; in 8 of these cases, the presenting problem was identified as truancy. In 10 (42 percent) of the 24 in-home services cases, the reason for the family's contact with the agency was identified as "child's behavior," and in 2 of these cases, the presenting problem was truancy.

Performance on Outcomes: Summary of CFSR Findings

The 2007 CFSR identified several areas of high performance in Kansas with regard to achieving positive outcomes for children. Kansas data for FY 2005 meet the national standards for the safety-related data indicators pertaining to absence of maltreatment recurrence and

the absence of maltreatment of children in foster care by foster parents or facility staff members. Kansas also meets the national standard for Permanency Outcome 3: Permanency for children in foster care for extended time periods.

Although Kansas did not achieve substantial conformity with any of the seven CFSR outcomes, there were three outcomes in which 90 percent or more of the cases were found to have substantially achieved the outcome, although the percentages did not quite meet the standard of 95 percent or higher. The highest level of performance occurred for Safety Outcome 1: Children are first and foremost protected from abuse and neglect. That outcome was substantially achieved in 94 percent of the cases. A high level of performance also was found for Well-Being Outcome 2: Children receive services to meet their educational needs, with that outcome substantially achieved in 91 percent of the cases. Finally, the CFSR found that Permanency Outcome 2: The continuity of family relationships and connections is preserved, was substantially achieved in 90 percent of the cases reviewed.

In addition to its high level of performance on these outcomes, the State received overall ratings of Strength on the following indicators:

- Timeliness of investigations (item 1)
- Repeat maltreatment (item 2)
- Services to prevent the removal of children from their homes (item 3)
- Foster care reentry (item 5)
- Proximity of placement (item 11)
- Placement with siblings (item 12)
- Visiting with parents and siblings in foster care (item 13)
- Relative placement (item 15)
- Relationship of child in foster care with parents (item 16)
- Physical health of child (item 22)

The CFSR also identified areas in which improvements are needed to achieve better outcomes for children and families. One of the key areas of concern pertains to the State's performance on Permanency Outcome 1: Children have permanency and stability in their living situations. This outcome was substantially achieved in only 51 percent of the cases reviewed. In addition, Kansas did not meet the national standards for three of the four data composites associated with Permanency Outcome 1. These are Permanency Composite 1: Timeliness and permanency of reunification, Permanency Composite 2: Timeliness of adoption, and Permanency Composite 3: Placement stability.

A primary concern pertaining to Permanency Outcome 1 was the lack of placement stability for children in foster care. This item was rated as a Strength in only 67 percent of the cases reviewed. In addition, the State performed below the median on all three national measures of placement stability included in the national data composite. Another primary concern pertained to the timeliness of adoptions. This item was rated as a Strength in only 47 percent of the cases reviewed. Case reviewers and stakeholders interviewed during the onsite CFSR suggested that the State's performance on this item may be attributed in part to the lack of concurrent planning.

It was noted that although concurrent planning is established in policy, and concurrent goals often are established for children early on in a case, most caseworkers focus on these goals sequentially rather than simultaneously.

The State's performance on Well-Being Outcome 1: Families have enhanced capacity to provide for their children's needs, also indicates that this is an area needing improvement. This outcome was substantially achieved in only 65.6 percent of the cases reviewed, and all items incorporated in the outcome were rated as an Area Needing Improvement. Key concerns with regard to this outcome were found for item 17, which pertains to meeting the service needs of children, parents, and foster parents. The item was rated as a Strength in only 69 percent of the cases. Case review findings, however, revealed that in over 90 percent of the cases, the agency was effective in meeting the needs of children in both the foster care and in-home services cases and in meeting the needs of foster parents. However, the agency was somewhat less effective in meeting the service needs of the mothers and substantially less effective in meeting the service needs of fathers.

Another area of concern within Well-Being Outcome 1 pertains to caseworker visits with the parents of the children in their caseloads (item 20). This item was rated as a Strength in only 64 percent of the cases. Again, the case reviews found that although the agency was somewhat effective in establishing frequent and meaningful contact with mothers, it was not at all effective in this regard with fathers. Reviewers found that caseworkers had infrequent contact or no contact at all with fathers in 47 percent of the applicable cases.

Performance on Systemic Factors: Summary of Findings

Kansas was found to be in substantial conformity with four of the seven systemic factors assessed during the 2007 CFSR. These were Statewide Information System; Quality Assurance System; Agency Responsiveness to the Community; and Foster and Adoptive Parent Licensing, Recruitment, and Retention.

Case Review System, Training, and Service Array were the three systemic factors that were not in substantial conformity. The two primary issues identified in connection with the Case Review System have to do with concerns about engaging fathers in case planning and information from the Statewide Assessment reporting that permanency hearings were held in a timely manner only 82.6 percent of the time in State FY 2006. For Training, identified issues included the significant differences between preservice training requirements for SRS caseworkers and caseworkers for the CWCBS agencies. In addition, for ongoing training, it was noted that quality assurance is an issue because of the number of agencies providing different models of training. One of the most salient issues that emerged from the CFSR pertaining to Service Array was the lack of accessibility to appropriate mental health and substance abuse services for children and parents. Another concern pertained to the lack of key services in the western part of the State and in the more rural areas of the State.

The specific findings with regard to the State's performance on the safety and permanency outcomes are presented in table 1 at the end of the Executive Summary. Findings regarding the well-being outcomes are presented in table 2. Table 3 presents the State's performance on the seven systemic factors assessed during the CFSR. In the following section, key findings are summarized for each outcome.

I. KEY FINDINGS RELATED TO OUTCOMES

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

Safety Outcome 1 incorporates two indicators. One pertains to the timeliness of initiating a response to a child maltreatment report (item 1), and the other relates to the recurrence of substantiated or indicated maltreatment (item 2).

Kansas did not achieve substantial conformity with Safety Outcome 1. Although both items included in the outcome were rated as a Strength, taken together, the percentage of cases determined to be substantially achieved did not reach the required 95 percent. The outcome was determined to be substantially achieved in 94 percent of the applicable cases, which is very close to the 95 percent or higher required for a rating of substantial conformity. This outcome was determined to be substantially achieved in 100 percent of Lyon County and Sedgwick County cases and 78 percent of Douglas County cases. Kansas met the national standards for the safety-related data indicators pertaining to the absence of maltreatment recurrence and the absence of maltreatment of children in foster care by foster parents or facility staff.

Kansas was not in substantial conformity with this outcome for its 2001 CFSR and was required to address the outcome in its PIP. The key concern identified in the 2001 CFSR was that in some of the cases reviewed, there were extensive delays in assigning reports to an investigative caseworker. The agency addressed this concern in its PIP by developing and implementing policy requiring that all reports must be screened within 24 hours of receipt. Kansas met its target goal for this outcome by the end of its PIP implementation period.

The concern pertaining to timely screening and assignment of reports that was found in the 2001 CFSR was not found in the 2007 CFSR. The 2007 CFSR found that reports were investigated in a timely manner, and there was little evidence of recurrence of maltreatment within a 6-month period. Stakeholders attributed the low rate of maltreatment recurrence to agency efforts to provide crisis management services and family-based services to address all existing concerns.

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

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

Kansas did not achieve substantial conformity with Safety Outcome 2. The outcome was determined to be substantially achieved in 75 percent of the cases reviewed, which is less than the 95 percent or higher required for a rating of substantial conformity. Performance

on this item varied across counties. The outcome was substantially achieved in 71 percent of Douglas County cases, 56 percent of Lyon County cases, and 87 percent of Sedgwick County cases. Kansas was in substantial conformity with this outcome for its 2001 CFSR and was not required to address the outcome in its PPP.

Key findings of the case reviews conducted in the 2007 CFSR were the following:

- The agency generally is effective in preventing the removal of children from their homes through provision of services to the family.
- The agency was not consistent with regard to conducting risk and safety assessments both initially and on an ongoing basis.
- In some cases, services were not provided to address risk and safety issues, or the services that were provided were not adequate to address the concerns in the family.

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

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

Kansas did not achieve substantial conformity with Permanency Outcome 1. This determination was based on the following findings:

- The outcome was substantially achieved in 52.5 percent of the cases, which is less than the 95 percent required for an overall rating of substantial conformity.
- The State Data Profile indicates that for FY 2005, the State did not meet the national standards for Permanency Composite 1: Timeliness and permanency of reunification, Permanency Composite 2: Timeliness of adoptions, or Permanency Composite 4: Placement stability.

However, the State did meet the national standard for Permanency Composite 3: Permanency for children in foster care for extended time periods.

Although performance on this outcome was low in all sites, there was some variation across sites. The outcome was found to be substantially achieved in 40 percent of Douglas County cases, 50 percent of Lyon County cases, and 60 percent of Sedgwick County cases.

