

**EXECUTIVE SUMMARY**  
**Final Report: New York Child and Family Services Review**  
**March 2009**

**INTRODUCTION**

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

The New York CFSR was conducted the week of May 5, 2008. The period under review for the case reviews was from April 1, 2007, through May 9, 2008. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the New York State Office of Children and Family Services (OCFS)
- The State Data Profile, prepared by CB, which provides State child welfare data for fiscal year (FY) 2005, FY 2006, and the CFSR 12-month target period ending March 31, 2007
- Reviews of 64 cases (40 foster care cases and 24 in-home services cases<sup>1</sup>) at three sites, including 31 cases in New York City, 17 cases in Onondaga County, and 16 cases in Rockland County, all of which were open child welfare agency cases at some time during the period under review
- Interviews or focus groups (conducted at all three sites and at the State level) with stakeholders including, but not limited to, children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, Tribal representatives, service providers, child advocates, court personnel, and attorneys

**Background Information**

The CFSR assesses State performance on 23 items relevant to 7 outcomes and 22 items pertaining to 7 systemic factors. In the Outcomes Section A of the CSFR Final Report, an overall rating of Strength or Area Needing Improvement (ANI) is assigned to each of the 23 items reviewed. An item is assigned an overall rating of Strength if 90 percent of the applicable cases reviewed were rated as a Strength. The ratings for the items are used to determine the performance of a State on the seven outcomes, each of which

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<sup>1</sup> The CFSR usually includes 40 foster care cases and 25 in-home services cases. However, during the Onsite Review, it was discovered that one of the in-home services cases involved a child who was actually in foster care. This case was dropped from the sample.

incorporates one or more of the individual items. Depending on item ratings, an outcome can be Substantially Achieved, Partially Achieved, or Not Achieved. For a State to be in substantial conformity with a particular outcome, 95 percent of the cases reviewed must be rated as having Substantially Achieved the outcome. Two outcomes—Safety Outcome 1 and Permanency Outcome 1—also are evaluated based on State performance with regard to six national data indicators. For a State to be in substantial conformity with these outcomes, both the national standards for each data indicator and the case review requirements must be met.

In the Systemic Factors Section B of the report, each item incorporated in each systemic factor is rated as either a Strength or an ANI based on whether State performance on the item meets Federal policy requirements as specified for the Child and Family Services Plan (CFSP). Information relevant to each systemic factor comes primarily from the Statewide Assessment and the stakeholder interviews conducted during the week of the onsite CFSR. Depending on item ratings, a systemic factor can be either “in substantial conformity” or “not in substantial conformity.” The criteria for rating each systemic factor are shown in the table below.

Rating the Systemic Factor			
Not in Substantial Conformity		In Substantial Conformity	
1	2	3	4
None of the CFSP or program requirements are in place.	Some or all of the CFSP or program requirements are in place, but more than one of the requirements fail to function as described in each requirement.	All of the CFSP or program requirements are in place, and no more than one of the requirements fails to function as described in each requirement.	All of the CFSP or program requirements are in place and functioning as described in each requirement.

A State that is not in substantial conformity with a particular outcome or systemic factor must develop and implement a Program Improvement Plan (PIP) to address that outcome or systemic factor. Because the focus of the CFSR process is on continuous quality improvement, standards are set high to ensure ongoing attention to the goal of achieving positive outcomes for children and families with regard to safety, permanency, and well-being.

Many changes have been made between the first and second CFSR review cycles. These changes were based on lessons learned during the first round and in response to feedback from the child welfare field. Consequently, 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 comparison of percentages for performance on the outcomes and items. Key changes in the process that make it difficult to compare performances across reviews are the following:

- An increase in the sample size from 50 to 65 cases
- Stratification of the sample to ensure a minimum number of cases in key program areas, resulting in variations in the number of cases relevant for specific outcomes and items
- Changes in criteria for specific items to increase consistency and to ensure an assessment of critical areas, such as child welfare agency efforts to involve noncustodial parents

## Key Findings of the New York 2008 CFSR

Although New York was not in substantial conformity with any of the outcomes assessed, New York's 2008 CFSR identified the following areas of high performance with regard to specific items:

- Item 1, which pertains to the timeliness of investigations, was rated as a Strength in 100 percent of applicable cases.
- Item 5, which pertains to foster care reentry, was rated as a Strength in 92 percent of applicable cases.
- Item 10, which pertains to meeting the permanency needs of children with a case plan goal of other planned permanent living arrangement (OPPLA), was rated as a Strength in both of the applicable cases.
- Item 11, which pertains to proximity of children's placements to their parents or close relatives, was rated as a Strength in 94 percent of applicable cases.
- Item 22, which pertains to meeting children's physical health needs, was rated as a Strength in 94 percent of applicable cases.

The State also met the national standard for the data indicator pertaining to placement stability (Composite 4).

In addition, although New York did not achieve the 90 percent or higher required for an overall rating of Strength, the State performed at a fairly high level on the following items:

- Item 6, which pertains to placement stability, was rated as a Strength in 87.5 percent of the foster care cases.
- Item 23, which pertains to children's mental health needs, was rated as a Strength in 86 percent of the applicable cases.

Despite these areas of high performance, New York's performance on the following outcomes is a concern for the State:

- Well-Being Outcome 1 (Families have enhanced capacity to provide for children's needs) was substantially achieved in only 34.4 percent of the 64 cases reviewed.
- Permanency Outcome 1 (Children have permanency and stability in their living situations) was substantially achieved in only 40 percent of the 40 foster care cases reviewed.
- Permanency Outcome 2 (The continuity of family relationships and connections is preserved) was substantially achieved in only 42.5 percent of the 40 foster care cases reviewed.

Also, New York did not meet 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 their foster parents or facility staff members. Finally, New York did not meet the national standards for the data indicators pertaining to the timeliness and permanency of reunification (Permanency Composite 1), the timeliness of adoptions (Permanency Composite 2), and achieving permanency for children in foster care for extended periods of time (Permanency Composite 3).

With regard to individual items, the most critical concern identified pertained to achieving adoptions in a timely manner, which was rated as a Strength in only 18 percent of the applicable cases. For the following items, less than 50 percent of the cases were rated as a Strength:

- Item 13—Visiting with parents and siblings in foster care (47 percent of applicable cases rated as a Strength)
- Item 15—Relative placements (45 percent of applicable cases rated as a Strength)
- Item 16—Relationship of child in foster care with parents (42 percent of applicable cases rated as a Strength)
- Item 17—Needs and services of child, parents, and foster parents (36 percent of cases rated as a Strength)
- Item 18—Child and parent involvement in case planning (43 percent of applicable cases rated as a Strength)
- Item 20—Caseworker visits with parents (39 percent of applicable cases rated as a Strength)

New York's performance with regard to the outcomes experienced by children and families served by the State's child welfare system may be attributed in part to concerns about some of the systemic factors. Although New York was found to be in substantial conformity with the systemic factors of Quality Assurance (QA) System and Agency Responsiveness to the Community, the State was not in substantial conformity with any of the other systemic factors. Performance on the two systemic factors of Case Review System and Training, in particular, may have critical implications for the State's performance with regard to achieving permanency in a timely manner, ensuring sufficient attention to assessing and meeting the service needs of parents and children, and involving parents and children in case planning.

Specific information regarding the State's performance on the safety and permanency outcomes is presented in table 1 at the end of the Executive Summary. Findings pertaining to performance on the well-being outcomes are presented in table 2. Table 3 presents a summary of the State's performance with regard to the seven systemic factors assessed through the CFSR. In the following sections, key findings are summarized for each outcome and systemic factor. Information also is provided about the State's performance on each outcome and systemic factor during its first CFSR, which was conducted in FY 2001.

## I. KEY FINDINGS RELATED TO OUTCOMES

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

Safety Outcome 1 incorporates two indicators. One pertains to the timeliness of initiating a response to a child maltreatment report (item 1), and the other relates to the recurrence of substantiated or indicated maltreatment (item 2). Safety Outcome 1 also incorporates two national data indicators for which national standards have been established—the absence of maltreatment recurrence and the absence of maltreatment of children in foster care by foster parents or facility staff.

New York is not in substantial conformity with Safety Outcome 1. The outcome was determined to be substantially achieved in 89.7 percent of the applicable cases, which is less than the 95 percent required for a rating of substantial conformity. Although the State was highly effective with regard to initiating investigations in a timely manner, children experienced at least two substantiated maltreatment incidents within a 6-month period in 16 percent of the applicable cases reviewed. New York also did not meet 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.

New York did not achieve substantial conformity with Safety Outcome 1 during its 2001 CFSR and was required to address this outcome in its PIP. The key concern in the 2001 CFSR was that New York did not meet the national standards for maltreatment recurrence or for maltreatment of children in foster care by foster parents or facility staff. To address this concern, New York implemented the following key strategies in its PIP:

- Modified the New York's statewide data system (CONNECTIONS) to allow staff to reclassify a "subsequent" report as a "duplicate" report, when appropriate
- Developed and distributed a model foster parent manual to local districts and voluntary agencies that provides clarity regarding the roles, responsibilities, and expectations for foster parents
- Developed and delivered training to strengthen the crisis intervention and de-escalation techniques used in congregate care settings
- Developed and trained on appropriate and safe restraint techniques
- Designed and implemented Institutional Abuse Prevention/Violence Prevention training and technical assistance targeted for executive directors and administrators of congregate care facilities
- Trained State Institutional Abuse investigation staff to strengthen investigative and prevention efforts

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

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

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

New York is not in substantial conformity with Safety Outcome 2. The outcome was determined to be substantially achieved in 70.3 percent of the cases reviewed, which is less than the 95 percent required for a rating of substantial conformity. Items 3 and 4 were rated as ANIs due to the following:

- There were insufficient safety and risk assessments in some cases, resulting in children being left at risk in their homes.
- There was a lack of consistent service provision even when service needs were identified.

- The services that were provided were not always sufficient to ensure safety.
- Families were not consistently engaged in services, which resulted in safety concerns for the children.

New York was in substantial conformity with Safety Outcome 2 in its 2001 CFSR and was not required to address the outcome in its PIP.

### **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 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 efforts to achieve permanency goals (such as reunification, guardianship, adoption, and permanent placement with relatives) in a timely manner (items 8 and 9) or to ensure that children who have OPPLA as a case goal are in stable placements and adequately prepared for eventual independent living (item 10).

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

- The outcome was substantially achieved in only 40 percent of the 40 foster cases reviewed, which is less than the 95 percent required for substantial conformity.
- The State did not meet the national standards for the national data indicators pertaining to the timeliness and permanency of reunification (Composite 1), the timeliness of adoptions (Composite 2), and achieving permanency for children in foster care for extended time periods (Composite 3).

However, New York met the national standards for the data indicator pertaining to placement stability (Composite 4).

For this outcome, item 5 was rated as a Strength in 92 percent of the cases, and item 6 was rated as a Strength in 87.5 percent of the cases. The following concerns were identified for the other items assessed for Permanency Outcome 1:

- The agency was not consistently establishing appropriate permanency goals for children in a timely manner.
- The agency met the Adoption and Safe Families Act (ASFA) requirements with regard to seeking termination of parental rights (TPR) in 62 percent (13 cases) of 21 applicable cases.
- There was a general lack of sufficient effort to achieve reunification or guardianship in a timely manner.
- There were frequent court-related and agency-related factors that resulted in delays in achieving adoptions.

New York also was not in substantial conformity with Permanency Outcome 1 in its 2001 CFSR and was required to address the outcome in its PIP. In the 2001 CFSR, all items except item 5 (foster care reentry) were rated as ANIs. The following key concerns were identified in the 2001 CFSR:

- In some cases, the goal of OPPLA was established when children were younger than age 16 and prior to full consideration of other permanency options.
- Reunification was not achieved in a timely manner in many cases.
- The agency was not consistent with regard to filing for TPR in a timely manner.
- Adoptions were not achieved in a timely manner.

To address these concerns, New York implemented the following strategies as part of its PIP:

- Reviewed the effectiveness of various group conferencing models in order to identify the most effective models for involving and engaging families to decrease the time required to achieve permanency
- Strengthened visitation practices to better support the frequency and quality of visitation needed for timely reunification
- Created a team composed of agency staff and court personnel to serve as a forum for identifying barriers to timely permanency and strategies to address those barriers
- Created policy and practice guidelines regarding service provision to adolescents who are likely to transition from foster care to independent living

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

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

Permanency Outcome 2 incorporates six indicators that assess the child welfare agency's performance with regard to (1) placing children in foster care in close proximity to their parents and close relatives (item 11); (2) placing siblings together (item 12); (3) ensuring frequent visitation between children and their parents and between children and their siblings in foster care (item 13); (4) preserving connections of children in foster care with extended family, community, cultural heritage, religion, and schools (item 14); (5) seeking relatives as potential placement resources (item 15); and (6) promoting the relationship between children and their parents while the children are in foster care (item 16).

New York is not in substantial conformity with Permanency Outcome 2. The outcome was determined to be substantially achieved in 42.5 percent of the cases, which is less than the 95 percent or higher required for substantial conformity. Although item 11 was rated as a Strength, all other items assessed for this outcome were rated as ANIs. The following key concerns were identified in the case reviews:

- Agency practice is inconsistent with regard to placing siblings together when appropriate.

- In several cases, the frequency and/or quality of visits between children and their fathers, mothers, or siblings was insufficient to meet the needs of the child.
- There was a lack of concerted effort in some cases to maintain the child's connections with extended family, culture, religion, community, and school.
- There was inconsistency in practice with regard to agency efforts to locate and assess maternal and paternal relatives as potential placement resources for children in foster care.
- There was inconsistency in practice with regard to agency efforts to support or maintain the bond between children in foster care and their mothers and fathers.

New York also was not in substantial conformity with Permanency Outcome 2 in its 2001 CFSR, when all items incorporated in this outcome were rated as Strengths except for items 13 and 16. The key concerns identified during the 2001 CFSR with respect to these two items were the following:

- The agency was not consistent in supporting visitation between children and their parents, particularly their fathers (item 13).
- The agency was not consistent in making diligent efforts to support or maintain the bond between children and their mothers and fathers through efforts other than arranging visitation (item 16).

To address these concerns, New York implemented the following strategies in its PIP:

- Researched and implemented a preferred visitation model that included strategies to encourage engagement of fathers
- Developed a self-assessment tool to assist districts in identifying Strengths and ANIs in their visitation practices
- Modified CONNECTIONS to support a strengthened visitation component in the case plan

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

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

Well-Being Outcome 1 incorporates four indicators. One pertains to the agency's efforts to ensure that the service needs of children, parents, and foster parents are assessed and that the necessary services are provided to meet identified needs (item 17). A second indicator examines agency efforts to actively involve parents and children (when appropriate) in the case planning process (item 18). The two remaining indicators examine the frequency and quality of caseworker contacts with the children in their caseloads (item 19) and with the children's parents (item 20).

New York is not in substantial conformity with Well-Being Outcome 1. The outcome was determined to be substantially achieved in only 34.4 percent of the cases reviewed, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in only 40 percent (16 cases) of the 40 foster care cases and only 25 percent (6 cases) of the 24 in-home

services cases. In the 2008 CFSR, all items incorporated in this outcome were rated as ANIs. Key concerns identified in the 2008 CFSR reflect a lack of consistency on the part of the agency with regard to the following:

- Assessing and addressing the service needs of fathers, mothers, children, and foster parents
- Involving children, mothers, and particularly fathers in case planning
- Ensuring that caseworkers are visiting children with sufficient frequency and that the visits focus on issues pertinent to case planning, service delivery, and goal attainment
- Ensuring that caseworkers are visiting parents, particularly fathers, with sufficient frequency and that visits with parents focus on issues pertinent to case planning, service delivery, and goal attainment

New York also was not in substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP. The following key concerns were identified in the 2001 CFSR:

- Service plans lacked clear documentation of assessment of service needs for all relevant parties, and needed services identified in service plans were sometimes delayed or not initiated (item 17).
- Service planning did not use a family-centered approach and did not effectively engage families (item 18).
- The agency was not consistent with regard to efforts to locate and engage fathers in case planning (item 18).

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

- Developed and implemented a family-focused case planning and service review process
- Evaluated family conferencing models to identify effective models for encouraging engagement of parents and children in case planning and developed and supported implementation of the chosen model
- Created new strategies for locating birth fathers and involving them in case planning and decision-making processes

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

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

There is only one indicator for Well-Being Outcome 2. It pertains to the agency efforts to address and meet the educational needs of children in both foster care and in-home services cases (item 21).

New York is not in substantial conformity with Well-Being Outcome 2. Reviewers determined that the outcome was substantially achieved in 88.5 percent of the applicable cases, which is less than the 95 percent required for substantial conformity. Four of the six cases that did not achieve this outcome were foster care cases, and two were in-home cases. The key concerns with regard to this outcome were the following:

- In four cases, there was a lack of assessment of educational needs, despite information that an educational assessment was warranted.

- In two cases (one in-home services case and one foster care case), children had been out of school for longer than 1 year, and the agency had not addressed this concern.

New York was in substantial conformity with this outcome in its 2001 CFSR and was not required to address the outcome in its PIP.

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

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

New York is not in substantial conformity with Well-Being Outcome 3. The outcome was determined to be substantially achieved in 84.2 percent of the applicable cases, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 83 percent (33 cases) of the 40 foster care cases and 88 percent (15 cases) of the 17 applicable in-home services cases. Key findings of the 2008 CFSR indicate that, although children's physical health needs were addressed in a consistent manner, mental health service needs were not consistently assessed or addressed.

New York also was not in substantial conformity with this outcome in its 2001 CFSR and was required to address the outcome in its PIP. In the 2001 CFSR, item 22 was rated as a Strength and item 23 was rated as an ANI. The key concerns identified in the 2001 CFSR were the following:

- Long waiting lists for mental health services
- Insufficient quality of mental health assessments
- Insufficient quantity of mental health service providers

To address these concerns, New York implemented the following strategies as part of its PIP:

- Caseworkers were required to assess the behavioral and mental health needs of every child in foster care and document the assessment in CONNECTIONS, which was enhanced to support these assessments.
- OCFS developed an assessment tool for foster parents to use to identify mental or physical health needs of children in their care.
- OCFS participated in the Coordinated Children's Services Initiative, which is a cross-system statewide team established to identify systemic barriers to the provision of mental health services and to develop strategies for overcoming identified barriers.

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

## II. KEY FINDINGS RELATED TO SYSTEMIC FACTORS

### Statewide Information System

Substantial conformity with the systemic factor of Statewide Information System is determined by whether the State is operating an information system that can inform users immediately about the status, demographic characteristics, location, and case goals for the placement of every child in foster care.

New York is not in substantial conformity with the systemic factor of Statewide Information System. The key finding of the 2008 CFSR is that, although CONNECTIONS can readily identify the legal status, demographic characteristics, location, and goals for each child in foster care, there are concerns about the reliability and currency of the data, particularly with regard to children's case goals.

New York was not in substantial conformity with this factor in its 2001 CFSR and was required to address the factor in its PIP. The key concern identified during the 2001 CFSR was that the State was using multiple information systems that provided most but not all of the required information to track the status, demographics, location, and goals for children in foster care. To address this concern, the State made changes to its statewide information system to enhance the existing reporting and processing of data needed to identify and track all children in foster care. New York met its target goals for this systemic factor by the end of its PIP implementation period.

### Case Review System

Five indicators are used to assess the State's performance for the systemic factor of a Case Review System. The indicators examine development of case plans and parent involvement in that process (item 25), the consistency of 6-month case reviews (item 26) and 12-month permanency hearings (item 27), implementation of procedures to seek TPR in accordance with the timeframes established in ASFA (item 28), and notification and inclusion of foster and pre-adoptive parents and relative caregivers in case reviews and hearings (item 29).

New York is not in substantial conformity with the systemic factor of a Case Review System. All items assessed for this systemic factor were rated as ANIs. The following concerns were identified during the 2008 CFSR:

- Parents were not consistently involved in case planning.
- Periodic reviews and permanency hearings were not being held in a timely manner across the State. This was attributed to high judicial caseloads, crowded court dockets, and the need to grant continuances when permanency reports were not disseminated to key parties in a timely manner.
- The State was not consistent with regard to meeting the ASFA requirements for filing a TPR petition and documenting compelling reasons when a TPR petition was not filed.
- The notification of caregivers regarding case reviews and permanency hearings was not occurring on a consistent basis across the State, and some foster parents were not aware that they had the right to be heard in a review or hearing.

The State was not in substantial conformity with this systemic factor during its 2001 CFSR and was required to address the factor in its PIP. The following key concerns relevant to the Case Review System were identified in the 2001 CFSR:

- The State was not consistent in involving parents, particularly fathers, in the development of case plans.
- The State was not consistent with regard to holding permanency hearings in a timely manner.
- The State was not consistent regarding filing a TPR petition in accordance with the timeframes established by ASFA.

To address these concerns, New York implemented the following strategies in its PIP:

- Developed a system to measure the involvement of families in the case planning process
- Evaluated the effectiveness of various group-conferencing models in order to implement the model that was found to be most effective in involving family members in the case planning process
- Convened a statewide team to identify strategies to overcome the barriers to timely permanency hearings
- Assessed barriers to timely TPR and implemented strategies to overcome barriers

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

### **Quality Assurance System**

Performance with regard to the systemic factor of a QA System is based on whether the State has developed standards that ensure the safety and health of children in foster care (item 30) and whether the State is operating a statewide QA system that evaluates the quality and effectiveness of services and measures program strengths and ANIs (item 31).

New York is in substantial conformity with the systemic factor of a QA System. Both items assessed for this factor were rated as Strengths. The State also was in substantial conformity with this factor in its 2001 CFSR and was not required to address the factor in its PIP.

### **Training**

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

New York is not in substantial conformity with the systemic factor of Training. Although item 34 pertaining to training for foster parents and congregate care facility staff was rated as a Strength, the two items pertaining to initial and ongoing training for caseworkers were rated as ANIs. The key concerns with regard to these two items were the following:

- Caseworkers in the voluntary agencies have full case management and decision-making responsibilities in their cases that are equivalent to caseworkers in the public agencies. However, most caseworkers in the voluntary agencies do not receive equivalent training and often carry caseloads prior to completion of training.
- The initial training provided to staff is not sufficient to prepare them to carry out their responsibilities while managing a full caseload.
- Although 6 hours of ongoing training are required by the State, it often is difficult for caseworkers to access ongoing training because of time constraints due to high caseloads and the cost of transportation.

New York was in substantial conformity with this factor in its 2001 CFSR and was not required to address the factor in its PIP.

### **Service Array**

The assessment of the systemic factor of Service Array addresses three questions: Does the State have in place an array of services that meet the needs of children and families served by the child welfare agency (item 35)? Are the services accessible to families and children throughout the State (item 36)? Can services be individualized to meet the unique needs of the children and families served by the child welfare agency (item 37)?

New York is not in substantial conformity with the systemic factor of Service Array. The State was rated as a Strength with regard to the effectiveness of individualizing services to meet the needs of children and families due to the availability of flexible funds and the State match for preventive services (item 37). However, the general array of services and the accessibility of services in all areas of the State were rated as ANIs (items 35 and 36). The key finding was that, although New York has an array of services, there are delays in achieving permanency due to a lack of adequate services, particularly mental health, substance abuse treatment, and post-adoption services. The lack of post-adoption services was cited as a key barrier in recruiting adoptive homes for children in the foster care system. In addition, there are many services in the State that are not accessible to families and children in all jurisdictions. This limited accessibility results in long waiting lists and/or long distances for clients to travel in order to receive critical services such as mental health services. The lack of accessibility of services was noted to be particularly problematic in the State's 44 rural counties but also was identified as a concern in New York City.

New York was not in substantial conformity with this factor in its 2001 CFSR and was required to address the factor in its PIP. The 2001 CFSR identified the following key concerns with regard to Service Array:

- Lack of housing for youth and emergency placements for youth who voluntarily leave foster care
- Lack of critical services for clients with substance abuse, sexual abuse, or mental health concerns
- Lack of therapeutic foster homes
- Lack of adequate placement resources for older adolescents, large sibling groups, and children with special needs
- Lack of aftercare services, particularly post-adoption services

- Insufficient number of dentists who will accept Medicaid
- Lack of child psychiatric and psychological services

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

- Participated in the management structure of the Coordinated Children's Services Initiative, which advocates for meeting the service needs of children in the child welfare system by addressing gaps in services
- Enhanced the accessibility of services by establishing a new child welfare financing system that provides an increased share of State funds for an array of non-foster care services through the agency's participation in the Integrated County Planning project

The State achieved its goals for this systemic factor during its PIP implementation period.

### **Agency Responsiveness to the Community**

Performance with regard to the systemic factor of Agency Responsiveness to the Community incorporates an assessment of the State's consultation with external stakeholders in developing the CFSP (items 38 and 39) and the extent to which the State coordinates child welfare services with services or benefits of other Federal or Federally-assisted programs serving the same population (item 40).

New York is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. All three items assessed for this factor were rated as Strengths. The CFSR found that the State has routine and comprehensive mechanisms for seeking input from stakeholders regarding the CFSP and the Annual Progress and Services Report. The State also collaborates with other Federal and Federally-assisted programs to ensure coordinated service delivery.

The State was in substantial conformity with this systemic factor in its 2001 CFSR and was not required to address the factor in its PIP.

### **Foster and Adoptive Parent Licensing, Recruitment, and Retention**

The assessment of this systemic factor focuses on the State's standards for foster homes and child care institutions (items 41 and 42), the State's compliance with Federal requirements for criminal background checks for foster and adoptive parents (item 43), the State's efforts to recruit foster and adoptive parents that reflect the ethnic and racial diversity of foster children (item 44), and the State's activities with regard to using cross-jurisdictional resources to facilitate permanent placements for waiting children (item 45).

New York is not in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. Although items 42, 43, and 45 were rated as Strengths, items 41 and 44 were rated as ANIs. The key concerns with regard to those two items were the following:

- Although New York has developed standards for licensing foster care homes and congregate care facilities, these standards are not being implemented consistently across the State. This was attributed to the fact that the standards lack clarity and therefore are interpreted in different ways across the State.
- New York does not have a systematic and comprehensive process in place for the targeted recruitment of foster homes that reflect the racial and ethnic characteristics of the children in foster care.

The State was in substantial conformity with this factor in its 2001 CFSR and was not required to address the factor in its PIP.

**Table 1. New York CFSR Ratings for Safety and Permanency Outcomes and Items**

Outcomes and Indicators	Outcome Ratings			Item Ratings	
	In Substantial Conformity?	Percent Substantially Achieved*	Met National Standards?	Rating**	Percent Strength
<b>Safety Outcome 1:</b> Children are, first and foremost, protected from abuse and neglect	No	89.7	No		
Item 1: Timeliness of initiating investigations of reports of child maltreatment				Strength	100
Item 2: Repeat maltreatment				ANI	84
<b>Safety Outcome 2:</b> Children are safely maintained in their homes when possible and appropriate	No	70.3			
Item 3: Services to prevent removal				ANI	76
Item 4: Risk of assessment and safety management				ANI	73
<b>Permanency Outcome 1:</b> Children have permanency and stability in their living situations	No	40	Met C4; did not meet C1, C2, or C3		
Item 5: Foster care reentries				Strength	92
Item 6: Stability of foster care placement				ANI	87.5
Item 7: Permanency goal for child				ANI	62.5
Item 8: Reunification, guardianship, or permanent placement with relatives				ANI	62.5
Item 9: Adoption				ANI	18
Item 10: Other planned permanent living arrangement				Strength	100
<b>Permanency Outcome 2:</b> The continuity of family relationships and connections is preserved	No	42.5			
Item 11: Proximity of foster care placement				Strength	94
Item 12: Placement with siblings				ANI	77
Item 13: Visiting with parents and siblings in foster care				ANI	47
Item 14: Preserving connections				ANI	71
Item 15: Relative placement				ANI	45
Item 16: Relationship of child in care with parents				ANI	42

\* 95 percent 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.

\*\* Items may be rated as a Strength or an ANI. For an overall rating of Strength, 90 percent of the cases must be rated as a Strength.

**Table 2. New York CFSR Ratings for Child and Family Well-Being Outcomes and Items**

Outcomes and Items	Outcome Ratings		Item Ratings	
	In Substantial Conformity?	Percent Substantially Achieved*	Rating**	Percent Strength
<b>Well-Being Outcome 1:</b> Families have enhanced capacity to provide for children's needs	No	34.4		
Item 17: Needs and services of child, parents, and foster parents			ANI	36
Item 18: Child and family involvement in case planning			ANI	43
Item 19: Caseworker visits with child			ANI	83
Item 20: Caseworker visits with parents			ANI	39
<b>Well-Being Outcome 2:</b> Children receive services to meet their educational needs	No	88.5		
Item 21: Educational needs of the child			ANI	88.5
<b>Well-Being Outcome 3:</b> Children receive services to meet their physical and mental health needs	No	84.2		
Item 22: Physical health of the child			Strength	94
Item 23: Mental health of the child			ANI	86

\* 95 percent 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.

\*\* Items may be rated as a Strength or an ANI. For an overall rating of Strength, 90 percent of the cases reviewed for the item (with the exception of item 21) must be rated as a Strength. Because item 21 is the only item for Well-Being Outcome 2, the requirement of a 95-percent Strength rating applies.

**Table 3: New York CFSR Ratings for Systemic Factors and Items**

<b>Systemic Factors and Items</b>	<b>In Substantial Conformity?</b>	<b>Score*</b>	<b>Item Rating**</b>
<b>Statewide Information System</b>	No	2	
Item 24: The State is operating a statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care			ANI
<b>Case Review System</b>	No	1	
Item 25: The State provides a process that ensures that each child has a written case plan to be developed jointly with the child's parents that includes the required provisions			ANI
Item 26: The State provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review			ANI
Item 27: The State provides a process that ensures that each child in foster care under the supervision of the States has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter			ANI
Item 28: The State provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act			ANI
Item 29: The State provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child			ANI
<b>Quality Assurance System</b>	Yes	4	
Item 30: The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of children			Strength
Item 31: The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the Child and Family Services Plan (CFSP) are provided, evaluates the quality of services, identified strengths and needs of the service delivery system, provides relevant reports, and evaluations program improvement measures implemented			Strength
<b>Training</b>	No	2	
Item 32: The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services			ANI
Item 33: The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP			ANI
Item 34: The States provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children			Strength

<b>Systemic Factors and Items</b>	<b>In Substantial Conformity?</b>	<b>Score</b>	<b>Item Rating**</b>
<b>Service Array</b>	No	2	
Item 35: The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency			ANI
Item 36: The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP			ANI
Item 37: The services in item 35 can be individualized to meet the unique needs of children and families served by the agency			Strength
<b>Agency Responsiveness to the Community</b>	Yes	4	
Item 38: In implementing the provisions of the CFSP, the State engages in ongoing consultation with Tribal representatives, consumers, services providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP			Strength
Item 39: The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP			Strength
Item 40: The State's services under the CFSP are coordinated with services or benefits of other Federal or Federally-assisted programs serving the same population			Strength
<b>Foster and Adoptive Parent Licensing, Recruitment, and Retention</b>	No	2	
Item 41: The State has implemented standards for foster family homes and child care institutions which are reasonably in accord with recommended national standards			ANI
Item 42: The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds			Strength
Item 43: The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children			Strength
Item 44: The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom adoptive homes are needed			ANI
Item 45: The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children			Strength

\* Scores range from 1 to 4. A score of 1 or 2 means that the factor is not in substantial conformity. A score of 3 or 4 means that the factor is in substantial conformity.

\*\* Items may be rated as a Strength or as an ANI.