

EXECUTIVE SUMMARY
Final Report: Kentucky Child and Family Services Review

The Child and Family Services Review (CFSR) assesses State performance during a specified time period on seven child welfare outcomes pertaining to safety, permanency, and well-being and on seven systemic factors. The Kentucky CFSR was conducted the week of March 3, 2003. The assessment is based on information from the following sources:

- The Statewide Assessment prepared by the State child welfare agency – the Kentucky Cabinet for Children and Families (the Cabinet);
- The State Data Profile prepared by the Children’s Bureau of the U.S. Department of Health and Human Services;
- Reviews of 50 cases at three sites throughout the State; and
- Interviews or focus groups (conducted at all three sites and 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.

A key CFSR finding in Kentucky was that only 7.1 percent of the cases reviewed were rated as having substantially achieved permanency outcome 1 – Children have permanency and stability in their living situations. Within this outcome, all cases were rated as an Area Needing Improvement with regard to adoption, and 50 percent were rated as Area Needing Improvement for the indicators of permanency goal and reunification, guardianship, and placement with relatives. Stakeholders identified both agency and court-related barriers to achieving permanency. The identified court-related barriers included the reluctance of the courts and attorneys to pursue permanency goals other than reunification, particularly when termination of parental rights (TPR) is necessary, as well as delays in scheduling and completing a TPR, court continuances, and the length of TPR appeals. The primary agency-related barrier to permanency was the failure of agency caseworkers to submit the necessary paperwork to the court in a timely manner. This pertained to both scheduling 12-month permanency hearings and filing TPR petitions.

The overall 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. Table 2, also provided at the end of the Executive Summary depicts the State’s overall performance on the Well Being Outcomes, and table 3 presents data pertaining to the State’s performance on the measures for which national standards have been established.

Information from the case reviews resulted in the following outcome-related items being rated as a Strength for the State:

- Reducing risk of harm to children (item 4).
- Ensuring permanency for children with regard to alternative living options (item 10).
- Placing children in close proximity to their parents or close relatives (item 11).
- Meeting children's needs for educational services (item 21).
- Meeting children's needs for physical health services (item 22).

In addition, the data presented in the State Data Profile indicate that Kentucky met the national standard for the percentage of children reunified in Federal fiscal year (FFY) 2000 who were reunified within 12 months of entry into foster care.

Despite these strengths, Kentucky was not in substantial conformity with six of the seven child and family outcomes. Also, data provided in the State Data Profile indicated that Kentucky did not meet the national standards for the following outcome measures:

- The recurrence of substantiated child maltreatment within 6 months of a prior substantiated maltreatment.
- The incidence of maltreatment of children in foster care.
- The rate of foster care re-entries within 12 months of discharge from a previous foster care episode.
- The percentage of finalized adoptions occurring within 24 months of a child's entry into foster care.
- The percentage of children experiencing no more than two placements during the first 12 months in foster care.

KEY FINDINGS RELATED TO OUTCOMES

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

As shown in Table 1, Kentucky did not achieve substantial conformity for Safety Outcome 1. This determination was based on the following findings:

- The outcome was substantially achieved in 81.3 percent of the cases reviewed, which is less than the 90 percent required for a rating of substantial conformity.
- The State did not meet the national standard for (1) the percentage of children experiencing more than one substantiated or indicated child maltreatment report within a 6-month period, or (2) the percentage of children maltreated in foster care.

The case reviews revealed inconsistent practices with respect to the timeliness of initiating a response to child maltreatment reports and establishing face-to-face contact with children and families. In many cases workers did respond in a timely manner; however, in 38 percent of the applicable cases the response was not within State guidelines. In addition, delayed response was found for maltreatment reports classified as high risk, as well as those classified as low and moderate risk.

Although the case reviews did not identify extensive repeat maltreatment as defined by the item (item 2), there were several cases in which an allegation of maltreatment was reported to the caseworker on an open case and the caseworker did not formally report the allegation or investigate it. The fact that maltreatment reports on open cases are not formally reported appears to be consistent with Cabinet policy as described in the *Standards of Practice and Information Sources relevant to the Child and Family Services Review*.

Kentucky's Statewide Assessment identified a number of practices and programs in place designed to reduce the recurrence of maltreatment. This includes the CQA, the provision of wraparound services through family-team conferencing, the Targeted Assessment Project (TAP), and the Domestic Violence and Substance Abuse Linkage Project.

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

Kentucky did not achieve substantial conformity with Safety Outcome 2. This determination was based on the finding that this outcome was substantially achieved in 86.0 percent of the cases reviewed, which is less than the 90 percent required for a rating of substantial conformity.

Although Kentucky did not achieve substantial conformity on this outcome, in a large percentage of cases, CFSR case reviewers determined that the Cabinet had made diligent efforts to provide services to children in their own homes and to ensure that the risk of harm to children was adequately addressed. Stakeholders also reported that there are a variety of services available to ensure the protection of children while they remain in their own homes.

The case reviews, however, also identified concerns in some of the in-home services cases regarding management of risk of harm. These concerns pertained primarily to the lack of formal investigation of maltreatment allegations or follow-through on subsequent abuse/neglect allegations. In four cases, both the case files and the caseworkers indicated that an alleged maltreatment had apparently occurred while the case was open, yet nothing had been done to address the risk of harm to the children posed by this new incident. In two of these cases, the allegations were quite serious.

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

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

- The outcome was substantially achieved in 7.1 percent of the cases, which is less than the 90 percent required for an overall rating of substantial conformity.

- The State Data Profile indicated that for Federal fiscal year (FFY) 2001, the State did not meet the national standards for (1) the rate of foster care re-entries, (2) the percentage of children discharged to finalized adoptions within 24 months of entry into foster care, and (3) the percentage of children in foster care for 12 months or less who experienced no more than 2 placements.

The State did meet the national standard for the percentage of children in FFY 2001 who were reunified within 12 months of entry into foster care.

The CFSR found that the Cabinet was not consistently effective in ensuring that children have permanency and stability in their living situations. Five of the six items assessed for this outcome were rated as an Area Needing Improvement. The exception was item 10 – Permanency Goal of Other Planned Permanent Living Arrangement.

One key concern identified by case reviewers pertained to the finding that the Cabinet had not established appropriate permanency goals in a timely manner for 50 percent of the children in the foster care cases. In addition, in all cases in which adoption was the goal, reviewers determined that diligent efforts had not been made to finalize adoptions in a timely manner.

Another identified concern pertained to the finding that children in foster care in Kentucky tend to experience placement instability. Information obtained from the Statewide Assessment and from stakeholder interviews indicates that children are not being carefully matched with foster care providers at the time of placement into foster care or when a placement change is necessary. This is either because the appropriate assessments are not being conducted, or because there are an insufficient number of placement resources resulting in placement decisions being made on the basis of what is available rather than what is needed.

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

Kentucky did not achieve substantial conformity with Permanency Outcome 2. This determination was based on the finding that the outcome was rated as substantially achieved in 71.4 percent of the cases, which is less than the 90 percent required for substantial conformity.

Although the CFSR found that the Cabinet was highly effective in placing children in foster care in close proximity to their families and communities, there were inconsistencies in practice with respect to placing siblings together, establishing frequent visitation between children and parents and siblings, maintaining children's connections to extended families and communities, and promoting positive relationships between parents and their children in foster care.

Establishing frequent visitation between children and their parents and siblings was identified as a particular concern during the CFSR. Forty percent of applicable cases were rated as an Area Needing Improvement for this indicator because the frequency and quality of visitation were determined to be insufficient to meet the needs of children and families. In addition, less than half of the cases reviewed involved visitation patterns that were consistent with Cabinet policy requiring that children in foster care visit with their parents at least once every 2 weeks. The lack of sufficient contact between parents and children also was a basis for reviewers determining that in 40 percent of the applicable cases, the Cabinet had not made adequate efforts to promote the parent-child bond.

Stakeholders commenting on the items assessed for this outcome generally expressed positive opinions regarding the efforts of the Cabinet for all items. However, several stakeholders noted that there are barriers to frequent visitation between children in foster care and their parents and siblings. These barriers include lack of transportation and the fact that most visits must be supervised by Cabinet staff. Some State-level stakeholders noted that the Cabinet does not provide the necessary guidance to assist caseworkers in making decisions regarding appropriate visitation supervision.

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

Kentucky did not achieve substantial conformity with Well Being Outcome 1. This determination was based on the finding that the outcome was rated as substantially achieved for 64.0 percent of the cases reviewed, which is less than the 90 percent required for a determination of substantial conformity.

An overall CFSR finding was that the Cabinet is not consistent in its efforts to meet the service needs of children and families, with 32 percent of the cases rated as an Area Needing Improvement for this item. The key problem pertained to the inadequacy of the assessments conducted in many of the cases, particularly the in-home services cases. In those cases in which assessments were not comprehensive, children and parents had service needs that were not addressed.

The CFSR also found inconsistencies in practice with regard to caseworker contacts with children and parents. For 22 percent of the cases, reviewers determined that the frequency and quality of caseworker contacts with children were not sufficient to ensure children's safety and promote their permanency and well-being. For 37 percent of the cases, reviewers determined that the frequency and quality of caseworker contacts with parents were not sufficient to meet the needs of the children and families. For both of these indicators, in-home services cases were more likely than foster care cases to be assigned a rating of Area Needing Improvement.

Finally, the CFSR findings suggest that efforts to involve families in the case planning process are not consistently effective, with 28 percent of cases rated as an Area Needing Improvement for this indicator. A key concern pertains to the lack of involvement of

fathers in the case planning process in several cases. Lack of parent involvement in case planning was particularly evident in the in-home services cases.

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

Kentucky achieved substantial conformity with Well-Being Outcome 2 based on the finding that 95.3 percent of the cases reviewed were found to have substantially achieved this outcome, which meets the 90 percent required for substantial conformity.

The CFSR found that in a large percentage of cases, the Cabinet was effective in assessing children's educational needs and providing appropriate services to meet those needs.

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

Kentucky did not achieve substantial conformity with Well-Being Outcome 3. This determination was based on the finding that the outcome was rated as substantially achieved in 76.0 percent of the applicable cases, which is less than the 90 percent required for a determination of substantial conformity.

In general, the CFSR found that the Cabinet was highly effective in meeting children's physical health needs. In most of the cases reviewed, medical and dental services were accessible to the children and these services were provided to the children on a routine preventive basis as well as when needed. Several stakeholders, however, noted that dental services are not consistently available throughout the State.

The CFSR found that the Cabinet was less effective in its efforts to address children's mental health needs, particularly for children in the in-home services cases. Two key concerns identified by stakeholders were (1) the scarcity of mental health services in some areas of the State, and (2) the poor quality of some of the mental health services that are available.

II. KEY FINDINGS RELATING TO SYSTEMIC FACTORS

Statewide Information System

Kentucky achieved substantial conformity with the systemic factor of Statewide Information System. This determination was based on the finding that information on the status, demographic characteristics, location, and goals for the placement of every child in foster

care is readily retrievable from the State's data system. In addition, stakeholders reported that the system, TWIST, generates reports that are timely and comprehensive and can be used to create action plans, monitor outcomes, and measure staff accountability.

Case Review System

Kentucky did not achieve substantial conformity with the systemic factor of Case Review System. This determination was based on the finding that the Cabinet is not consistently effective with regard to (1) actively involving parents and children in the case planning process; (2) providing a 6-month periodic review for each child in foster care; and (3) notifying and involving foster parents, pre-adoptive parents and relative caregivers of hearings. Although the review found that in general the 12-month permanency hearings are not routinely held in a timely manner, several stakeholders reported that timeliness and thoroughness of permanency hearings varies by jurisdiction. The CFSR also found that the State is not consistent with regard to achieving TPR in a timely manner. The primary barriers identified were the TPR appeals process and crowded court dockets.

Quality Assurance System

Kentucky achieved substantial conformity with the systemic factor of Quality Assurance System. The State has developed and implements standards to ensure the protection of health and safety of children in foster care and also maintains an effective quality assurance system that evaluates and measures program strengths and areas needing improvement. In addition, the Cabinet has a Continuous Quality Improvement (CQI) process that is designed to assess the effectiveness of services and that involves all Cabinet staff in the evaluation of internal systems, procedures and outcomes.

According to the Statewide Assessment, State statutes, standards of practice (SOP), and internal and external monitoring systems ensure that children in foster care are provided quality services. A policy collaboration team is responsible for facilitating the development of clearly defined standards of practice.

Training

Kentucky achieved substantial conformity with the systemic factor of Training. The CFSR determined that the Cabinet provides a strong staff development and ongoing training program as well as effective initial training for all newly hired workers. In addition, stakeholders reported that both the initial and ongoing foster parent training programs are effective, although some stakeholders noted that only licensed foster parents are required to take the training. Despite this generally positive perception of training efforts, several stakeholders expressed concern about the lack of caseworker skills in conducting comprehensive assessments and their lack of understanding about how to effectively use information obtained from a comprehensive assessment.

Service Array

Kentucky did not achieve substantial conformity with the systemic factor of Service Array. There are significant gaps in services and services are generally not available in sufficient quantity. Stakeholders expressed concern about extended waiting periods for receiving services and noted that lack of transportation often is a barrier to families accessing services. However, it was noted that services can be individualized for families.

Agency Responsiveness to the Community

Kentucky achieved substantial conformity with the systemic factor of Agency Responsiveness. The State's Child and Family Service Plan is developed in conjunction with representatives from other agencies including the Administrative Office of the Court, the Children's Review Program, and child advocacy groups. The Cabinet has strong collaborations with external stakeholders on the State and local levels and is effective in ensuring the coordination of services with other agencies.

Foster and Adoptive Parent Licensing, Recruitment, and Retention

Kentucky achieved substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. The Cabinet maintains and implements standards for foster family homes and standards are applied to all Cabinet foster family homes and child care institutions. The Division of Licensing and Regulation establishes the standards for all residential facilities and child-caring/child-placing agencies. However, the Statewide Assessment notes that there is some variation in the standards for Cabinet foster homes and private child care foster homes (e.g., physical exams, number of children, and hours of training). The State does complete criminal background checks prior to the approval of all foster and adoptive homes and licensure is timely.

According to the Statewide Assessment, the Cabinet has initiated a Diligent Recruitment Plan to meet the needs of the ethnic and racial diversity of children in foster care. The plan emphasizes the need for more homes for teenagers, sibling groups, medically fragile children and African-American youths.

Cross-jurisdictional placements are facilitated through the Special Needs Adoption Program (SNAP). SNAP is designed to offer specialized recruitment efforts for children waiting for permanent placements. Stakeholders commenting on this issue noted that cross-jurisdictional placements occur.

Table 1. CFSR Ratings for Safety and Permanency Outcomes and Items

Outcomes and Indicators	Outcome Ratings			Item Ratings		
	<i>In Substantial Conformity?</i>	<i>Percent Substantially Achieved</i>	<i>Met National Standards?</i>	<i>Rating*</i>	<i>Percent Strength</i>	<i>Met National Standards</i>
Safety Outcome 1-Children are first and foremost, protected from abuse and neglect	No	81.3 (90% required for substantial conformity)	No (2)			
Item 1: Timeliness of investigations				ANI	62	
Item 2: Repeat maltreatment				ANI	98	No
Safety Outcome 2 - Children are safely maintained in their homes when possible and appropriate	No	86.0 (90% required for substantial conformity)				
Item 3: Services to prevent removal				ANI	81	
Item 4: Risk of harm				Strength	88	
Permanency Outcome 1- Children have permanency and stability in their living situations	No	7.1 (90% required for substantial conformity)	No (3)			
Item 5: Foster care re-entry				ANI	100	No
Item 6: Stability of foster care placements				ANI	68	No
Item 7: Permanency goal for child				ANI	50	
Item 8: Reunification, guardianship and placement with relatives				ANI	50	Yes
Item 9: Adoption				ANI	0	No
Item 10: Other planned living arrangement				Strength	100	
Permanency Outcome 2 - The continuity of family relationships and connections is preserved	No	71.4 (90% required for substantial conformity)				
Item 11: Proximity of placement				Strength	100	
Item 12: Placement with siblings				ANI	84	
Item 13: Visiting with parents and siblings in foster care				ANI	60	
Item 14: Preserving connections				ANI	75	
Item 15: Relative placement				ANI	79	
Item 16: Relationship of child in care with parents				ANI	60	

*Items are rated either as an Area Needing Improvement (ANI) or as a Strength.

Table 2. CFSR Ratings for Child Well Being Outcomes and Items

Outcomes and Indicators	Outcome Ratings		Item Ratings			
	<i>In Substantial Conformity?</i>	<i>Percent Substantially Achieved</i>	<i>Met National Standards</i>	<i>Rating*</i>	<i>Percent Strength</i>	<i>Met National Standards</i>
Well Being Outcome 1 - Families have enhanced capacity to provide for children's needs	No	64.0 (90% required for substantial conformity)				
Item 17: Needs/services of child, parents, and foster parents				ANI	68	
Item 18: Child/family involvement in case planning				ANI	72	
Item 19: Worker visits with child				ANI	78	
Item 20: Worker visits with parents				ANI	63	
Well Being Outcome 2 - Children receive services to meet their educational needs	Yes	95.3 (90% required for substantial conformity)				
Item 21: Educational needs of child				Strength	95	
Well Being Outcome 3 - Children receive services to meet their physical and mental health needs are met	No	76.0 (90% required for substantial conformity)				
Item 22: Physical health of child				Strength	88	
Item 23: Mental health of child				ANI	81	

*Items are rated either as an Area Needing Improvement (ANI) or as a Strength.

Table 3: Kentucky's Performance on the Six Outcome Measures for which National Standards have been Established

Outcome Measure	National Standard	Kentucky Data
Of children who were victims of a substantiated or indicated maltreatment report in the first 6 months of CY 2001, what percent were victims of another substantiated or indicated report within a 6-month period?	6.1% or less	8.6%
Of all children who were in foster care in the first 9 months of CY 2001, what % experienced maltreatment from foster parents or facility staff members?	.57% or less	.65%
Of all children who entered foster care in FY 2001, what percent were re-entering care within 12 months of a prior foster care episode?	8.6% or less	10.8%
Of all children reunified from foster care in FY 2001, what percent were reunified within 12 months of entry into foster care?	76.2% or more	82.5%
Of all children who were adopted from foster care in FY 2001, what percent were adopted within 24 months of their entry into foster care?	32.0% or more	15.9%
Of all children in foster care during FY 2001 for less than 12 months, what percent experienced no more than 2 placement settings?	86.7% or more	80.3%

Introduction

This document presents the findings of the Child and Family Services Review (CFSR) for the State of Kentucky. The CFSR was conducted the week of March 3, 2003. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the State child welfare agency – the Kentucky Cabinet for Children and Families (the Cabinet);
- The State Data Profile, prepared by the Children’s Bureau of the U.S. Department of Health and Human Services and providing child welfare data for the years 1999 through 2001;
- Reviews of 50 cases at three sites throughout the State; and
- 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.

The key characteristics of the 50 cases reviewed are the following:

- 24 cases were reviewed in Jefferson County, 14 in Warren County, and 12 in Knox County.
- All 50 cases had been open cases at some time during the period under review.
- 28 cases were “foster care cases” (cases in which children were in the care and custody of the State child welfare agency and in an out-of-home placement at some time during the period under review), and 22 were “in-home services cases” (cases in which families received services from the child welfare agency while children remained in their homes and no child in the family was in out-of-home care during the period under review).
- In 32 cases, all children in the family were White; in 16 cases, all children in the family were African American; in 1 case, all children in the family were American Indian; and in 1 case, the children were of two or more races.
- Of the 50 cases reviewed, the **primary** reason for the opening of a child welfare agency case was the following:
 - Neglect (not including medical neglect) – 26 cases (52%)
 - Physical abuse – 11 cases (22%)
 - Substance abuse by parents – 4 cases (8%)
 - Medical neglect – 2 cases (4%)
 - Dependency – 2 cases (4%)
 - Sexual abuse – 1 case (2%)
 - Abandonment – 1 case (2%)
 - Mental/physical health of child – 1 case (2%)
 - Domestic violence in child’s home – 1 case (2%)

- Child's behavior – 1 case (2%)
- Of the 50 cases reviewed, the most frequently cited of **all** reasons for children coming to the attention of the child welfare agency were the following:
 - Neglect (not including medical neglect) – 37 cases (74%)
 - Physical abuse – 26 cases (52%)
 - Substance abuse by parents – 15 cases (30%)
 - Sexual abuse – 14 cases (28%)
 - Domestic violence in child's home – 8 cases (16%)
 - Mental/physical health of parent – 7 cases (15%)
 - Child's behavior – 5 cases (10%)
 - Medical neglect – 5 cases (10%)
 - Medical/physical health of child – 5 cases (10%)
 - Emotional maltreatment – 4 cases (8%)
- In 24 (86%) of the 28 foster care cases, the children entered foster care prior to the period under review and either remained in foster care during the entire period under review or exited foster care to adoption or independent living. Only one child who entered foster care prior to the period under review exited to reunification during the period under review.

The first section of the report presents the CFSR findings relevant to the State's performance in achieving specific outcomes for children in the areas of safety, permanency, and well-being. For each outcome, there is a table presenting key findings, a discussion of the State's status with regard to the outcome, and a presentation and discussion of each item (indicator) assessed. For the most part, findings are presented for all three counties taken together, with differences among counties described when they are particularly noteworthy. The second section of the report provides an assessment and discussion of the systemic factors relevant to the child welfare agency's ability to achieve positive outcomes for children.