

## **EXECUTIVE SUMMARY SOUTH DAKOTA**

The Child and Family Services Review (CFSR) assesses State performance during a specified time period with respect to seven child welfare outcomes in the areas of safety, permanency, and well-being. This assessment is based on information obtained from a randomly selected sample of 50 child welfare cases and from interviews with individuals involved in the cases including caseworkers, parents, foster parents, and children, when appropriate. The CFSR also evaluates State functioning with respect to seven systemic factors using information from the Statewide Assessment and from interviews and focus groups with key community and agency stakeholders.

South Dakota achieved substantial conformity in five of the seven systemic factors subject to review, but did not achieve substantial conformity on the seven outcomes in the areas of safety, permanency and child and family well being.

The two systemic areas in which the State was not determined to be in substantial conformity are Case Review System and Service Array. The primary areas needing improvement related to Case Review System concern the joint development of case plans with parents (item 25), the conduct of periodic reviews for children in foster care (item 26), provisions for termination of parental rights (item 28), and notification of foster and pre-adoptive parents of hearings and reviews (item 29). Within the Service Array systemic factor, the primary concerns were with the accessibility of services to children and families (item 36) and the agency's ability to individualize services to children and families (item 37).

An area of concern that was reflected throughout the review is the relationship between the state and the Native American tribes. According to the Statewide Assessment, approximately 65% of the children in foster care are of Native American heritage. In the CFSR sample for South Dakota, 54% of the cases were of Native American children and families. Both the state and tribal representatives who were interviewed during the review expressed frustrations regarding the way cases involving Indian children and families were handled. Our review findings reflect the struggles to maintain cultural identity and sovereignty while assuring safety and permanency for children.

Some of the areas where the state will need to focus on improvements concerning Native American children include: (1) a need to recruit more Native American foster homes so that children can be placed within their tribes; (2) a need to improve preservation of connections to Native American culture when children are placed outside of the tribe; (3) more training for foster parents to understand how to connect children to tribal activities and events; and (4) a need to collaborate with the Indian Health Services to ensure that the health needs of Native American children in the child welfare system are being met.

Further, the State's challenges in moving children in foster care to permanent living situations reflect barriers in both the State and tribal court systems to implementing fully the provisions of the Adoption and Safe Families Act (ASFA) and Indian Child Welfare Act (ICWA). In some situations, terminations of parental rights are not pursued for children who cannot return home, and they remain in long term foster care for extended periods of time when, in fact, other

permanency options may be available and viable. Such situations occur when the tribes or the State do not pursue termination of parental rights (TPR), when a tribal judge agrees to a TPR but the tribal council objects, and when courts in the State do not terminate parental rights for children past a certain age, e.g., eleven years old. The State will need to work closely with both the tribes and the State court system to ensure implementation of ASFA requirements so that children in foster care achieve permanency in timely and appropriate ways.

Although the State was determined not to be in substantial conformity on the seven outcomes, there were some items pertaining to the outcomes that were assigned a rating of strength. In particular, the State was noted to be effective with respect to the following:

- Establishing appropriate permanency goals for children (item 7), including goals related to living arrangements other than adoption or reunification (item 10).
- Placing children in close proximity to their families (item 11), placing siblings together when possible (item 12), and searching for and placing children with relatives when appropriate (item 15).
- Making diligent efforts to support visitation between children and their parents and siblings (item 13) and to encourage a positive relationship with parents, when appropriate (item 16).
- Conducting frequent visits with parents (item 20).

The following is a summary of the CFSR findings with respect to outcomes and systemic factors:

## **KEY FINDINGS RELATED TO OUTCOMES**

### **I. SAFETY**

*Outcome S1: Children are, first and foremost, protected from abuse and neglect.*

#### **Status of Safety Outcome S1 – Not in Substantial Conformity**

South Dakota did not achieve substantial conformity for Safety Outcome 1 based on the following findings:

- The State did not meet the national standard for the incidence of repeat maltreatment.
- Only 68 percent of the case records reviewed were rated as having substantially achieved this outcome. This is less than the 90 percent required for an overall rating of substantial conformity.

Assessments of individual items subsumed under Safety Outcome 1 are as follows:

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

This item was assigned an overall rating of Area Needing Improvement because in 27 percent of the cases, the time taken to initiate an investigation of a child maltreatment report exceeded State policy requirements.

#### **Item 2. Repeat Maltreatment**

This item was assigned an overall rating of Area Needing Improvement based on the following information:

- According to the State Data Profile, the incidence of repeat maltreatment in South Dakota for 1999 was 11.1 percent, which is higher than the nationally established standard of 6.1 percent.
- The incidence of repeat maltreatment from the case record review was 22 percent.
- The Statewide Assessment noted that repeat maltreatment is an area of concern for the agency.
- A number of stakeholders, including personnel from within CPS, expressed concern about the extent of repeat maltreatment.

***Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.***

**Status of Safety Outcome S2 – Not in Substantial Conformity**

South Dakota did not achieve substantial conformity with Safety Outcome 2. Only 70 percent of the case records reviewed were rated as having substantially achieved this outcome, which is less than the 90 percent required for an overall rating of substantial conformity. Assessments of the individual items subsumed under Safety Outcome S2 are presented below.

**Item 3. Services To Families to Protect Children in Their Homes and Prevent Removal**

This item was assigned an overall rating of Area Needing Improvement because, in more than one-third of the cases reviewed, it was determined that CPS had not made diligent efforts to prevent removal and keep children safe in their homes. In the Statewide Assessment, this problem was attributed in part to a lack of available services rather than a failure on the part of CPS to refer families or engage families in services. However, the case record reviews suggest that the problem also may be attributed to a lack of CPS follow up once a family is referred for services. Stakeholders suggested that the excessive caseloads of many caseworkers hampers their efforts to follow up with families.

**Item 4. Risk of Harm to Child**

This item was assigned an overall rating of Area Needing Improvement primarily because in 20 percent of the cases, the determination was that CPS had not made diligent efforts to reduce the risk of harm to children. In some cases, maltreatment reports were made on families while the case was open for services. In addition, the review findings indicate that the agency current Risk Assessment Matrix tool used by the agency, is not structured in such a way as to assist staff in determining both risk of harm and the services necessary to reduce the risk. According to the Statewide Assessment, CPS expects that its capacity to reduce risk of harm to children will improve with the implementation of the Individual Family Assessment model that the State is currently testing and adopting. This model includes a comprehensive component for assessing risk and will provide caseworkers with a standardized decision-making tool.

**II. PERMANENCY**

***Outcome P1: Children have permanency and stability in their living situations.***

**Status of Permanency Outcome P1 – Not in Substantial Conformity**

South Dakota did not achieve substantial conformity with Permanency Outcome 1, based on the following findings:

- Only 78.9 percent of the case records were rated as having substantially achieved Permanency Outcome 1, which is less than the 90 percent required for an overall rating of substantial conformity.
- The State did not meet the national standards for the incidence of foster care re-entries or for the stability of placements. (However, the State did meet national standards for the percentage of reunifications occurring within 12 months of removal of the child from the home and for the percentage of adoptions occurring within 24 months of removal.)

Information regarding the five items relevant to Permanency Outcome P1 is presented below.

#### **Item 5. Foster care re-entries**

Item 5 was assigned an overall rating of Area Needing Improvement in response to the following information:

- The State incidence of foster care re-entry (14.2%) did not meet the national standard of 8.6 percent.
- The case review incidence of re-entry into foster care was (11%).
- Although there were no foster care re-entries for 89 percent of the cases reviewed, almost three-fourths of these cases involved children who were in foster care or another permanent placement during the entire period under review. Therefore, for these children, there was no opportunity for a re-entry to occur.
- The Statewide Assessment indicated that the majority of South Dakota offices do not meet the national standard for foster care re-entries and that the issue of foster care re-entry will be a major focus of the agency in planning program improvement.

#### **Item 6. Stability of foster care placement**

Item 6 was assigned an overall rating of Area Needing Improvement primarily because the State did not meet the national standard for placement stability, although it did come close to meeting this standard. As noted in the Statewide Assessment, one factor that impacts placement stability is the difficulty of appropriately matching the needs of a child with the strengths of a foster family when the availability of foster homes is limited. This concern was echoed by many stakeholders.

#### **Item 7. Permanency goal for child**

Item 7 was assigned an overall rating of Strength based on the following:

- 76 percent of the cases were rated as a Strength for this item.
- The State met the national standard for the percent of reunifications occurring within 12 months of removal.
- The State met the national standards for adoptions occurring within 24 months of removal.

Part of the agency's success in achieving permanency for children was attributed (in the Statewide Assessment and by many stakeholders) to the subsidized guardianship program that the agency has had since 1983. According to the State, the ability to provide funds to guardians has been an incentive for relatives and some other caretakers to assume legal guardianship. This has been particularly relevant in situations in which relatives assume guardianship over large siblings groups.

### **Item 8. Independent living services**

Item 8 was assigned an overall rating of Area Needing Improvement. The Statewide Assessment describes a comprehensive Independent Living Program. There were four applicable cases to assess this item. Two of the four applicable cases, this item was rated as a strength and two were rated as areas needing improvement. In the two cases in which there were areas needing improvement, there were concerns that there was no evidence of planning for children who were transitioning into independent living.

### **Item 9. Adoption**

Item 9 was assigned an overall rating of Area Needing Improvement based on the finding that more than one-third of the cases involving children with adoption as a goal were rated as an Area Needing Improvement. Although South Dakota far exceeded the national standard pertaining to the percent of adoptions occurring within 24 months of the time of removal, information in the Statewide Assessment suggests that this statistic may be misleading. As noted in the Statewide Assessment, in the State information systems (both FACIS and the legacy system), children are discharged from foster care to adoption when the child is placed in an adoptive home or the child is in adoptive status with her or his foster family. This is not actually an exit to a finalized adoption because finalization has not taken place. However, it is reported to AFCARS as a discharge and therefore is interpreted by AFCARS as a finalized adoption, in accordance with the AFCARS discharge definitions. Because the required time between placement and finalization in South Dakota is 6 months, and some finalizations may take longer due to legal proceedings, the statistics reported in the State Data Profile regarding the time to a finalized adoption may not be accurate. The Statewide Assessment indicated that the State plans to examine these data in their AFCARS 2000 data submissions.

### **Item 10. Permanency goal of other planned permanent living arrangement**

Item 10 was assigned an overall rating of Strength because all cases reviewed were assessed as a Strength for this area. Although only 7 cases in the case record review were applicable for this assessment, reviewers determined that for these children, the goal established was appropriate, and the current placement appeared stable and supportive for the child.

***Outcome P2: The continuity of family relationships and connections is preserved for children.***

### **Status of Permanency Outcome P2 – Not in Substantial Conformity**

South Dakota 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 86.8 percent of the cases, which is less than the 90 percent required for a determination of substantial conformity. The primary problem identified concerned preserving connections for children in foster care, particularly Native American children placed with non-Native American families.

A summary of findings pertaining to the specific items assessed under Permanency Outcome 2 is presented below.

### **Item 11. Proximity of foster care placement**

This item was assigned an overall rating of Strength because, in almost 97 percent of the applicable foster care cases, children were placed in close proximity to parents whenever possible or when such placement was in their best interest.

**Item 12. Placement with siblings**

Item 12 was assigned an overall rating of Strength because in 92 percent of the applicable cases, siblings were either placed together or the reason for separation was determined to be valid. The Statewide assessment also indicated that the agency has access to several therapists in the State who are adept at sibling evaluations and whose evaluations are used in making long-term decisions regarding sibling placements.

**Item 13. Visiting with parents and siblings in foster care**

Item 13 was assigned an overall rating of Strength because in 86 percent of the applicable cases, the agency was determined to have made diligent efforts to ensure that visitation was appropriate and frequent. Stakeholders commented that the agency promotes visitation through a contract with special visitation centers in some regions of the State. These centers are designed to facilitate parent-child contacts while ensuring the child's safety.

**Item 14. Preserving connections**

Item 14 was assigned an overall rating of Area Needing Improvement because in 27 percent of the cases, reviewers determined that the issue of maintaining connections with the child's cultural heritage had not been, or was not being, sufficiently addressed. This is an important issue in South Dakota because, as noted in the Statewide Assessment, 65 percent of the children in foster care in South Dakota are of Native American heritage. A key problem is a lack of Native American foster homes.

**Item 15. Relative placement**

Item 15 was assigned an overall rating of Strength based on the fact that reviewers provided this rating in 95 percent of the cases. The agency's success in achieving relative placements was attributed by stakeholders and by the Statewide assessment to the following factors:

- The agency requires staff to complete a Family Fact Sheet within 60 days of placement that presents information on all family members and documents staff efforts to locate them.
- Relatives who appear to be appropriate placement resources and are interested in taking the children are assigned to have a home study completed prior to placement. The home study must be completed within 60 days of the request.
- There is a subsidized guardianship program for relatives, which the agency has had in place since 1983. CPS currently has 50 children in subsidized guardianship.

**Item 16. Relationship of child in care with parents**

Item 16 was assigned an overall rating of Strength based on the finding that 92 percent of the applicable cases were rated as a Strength on this item. However, the review findings primarily pertain to the relationship of the custodial parent with the child. Reviewers suggest that children's relationships with non-custodial parents are not being sufficiently addressed

### III. WELL-BEING

*Outcome WB1: Families have enhanced capacity to provide for their children's needs.*

#### **Status of Well-Being Outcome WB2 – Not in Substantial Conformity**

South Dakota did not achieve substantial conformity with Well-Being Outcome 1 because only 62 percent of the case reviewed were determined to have substantially achieved this outcome. This is less than the 90 percent required for a determination of substantial conformity. Findings pertaining to the specific items assessed under Well-Being Outcome 1 are presented below.

#### **Item 17. Needs and services of child, parents, foster parents**

Item 17 was assigned an overall rating of Area Needing Improvement because this item was rated as a strength in only 58 percent of the cases. The primary problem identified was a lack of sufficient attention to the service needs of children in in-home cases and to the service needs of biological parents in foster care cases.

#### **Item 18. Child and family involvement in case planning**

Item 18 was assigned an overall rating of Area Needing Improvement based on the finding that in more than one-third of the cases reviewed, parents and/or children were not involved in the case plan development process. Although workers were said to be encouraged to involve parents, CPS personnel and other stakeholders were not aware of any formal process or policy requirement for involving biological parents in case plan development.

#### **Item 19. Worker visits with child**

Item 19 was rated as an Area Needing Improvement based on the finding that in almost one-third of the case records reviewed, workers did not visit children in foster care in accordance with State requirements, and reviewers determined that workers did not make sufficiently frequent visits to children in in-home cases. The Statewide Assessment notes that the agency has limited access to hard data regarding the frequency of contact between caseworkers and children in their caseloads, because contact dates and frequency are not tracked by either of the State's information systems.

#### **Item 20. Worker visits with parents**

Item 20 was assigned an overall rating of Strength based on the finding that in 80 percent of the cases, reviewers determined that workers met with parents at least monthly, and more frequently when necessary. The results of a State-conducted survey on this issue, as reported in the Statewide Assessment, were that 13 workers reported having monthly contact with parents, 17 reported contact two times per month, and 60 workers reported that they have weekly contact with parents.

*Outcome WB2: Children receive appropriate services to meet their educational needs.*

#### **Status of Well-Being Outcome WB2 - Not in Substantial Conformity**

South Dakota did not achieve substantial conformity with Well-Being Outcome 2 because only 74.4 percent of the applicable case records reviewed were rated as having substantially achieved

this outcome, which is less than the 90 percent required for substantial conformity. Findings specific to this outcome are presented below.

**Item 21. Educational needs of the child**

Item 21 was assigned an overall rating of Area Needing Improvement because in 26 percent of the cases, reviewers identified concerns regarding meeting children's educational needs. The primary problem was that the educational needs of children in in-home cases were not being addressed even when there were clear education-related problems.

***Outcome WB3: Children receive adequate services to meet their physical and mental health needs.***

**Status Of Well-Being Outcome 3 - Not in Substantial Conformity**

South Dakota did not achieve substantial conformity with Well-Being Outcome 3. This outcome was rated as substantially achieved in only 65.2 percent of the cases reviewed, which is less than the 90 percent required for a determination of substantial conformity. Assessments of the specific items assessed under Well-Being Outcome 3 are presented below.

**Item 22. Physical health of the child**

Item 22 was assigned an overall rating of Area Needing Improvement because almost one-fourth of the children in the case record review were found to have not received comprehensive physical health services. A primary problem identified through the case record reviews was a lack of dental services for children. The Statewide Assessment noted that currently obtaining dental care for children in custody is problematic due to the lack of dentists in the State willing to accept Title XIX payments. Stakeholders confirmed this perception of the situation with respect to dental services.

**Item 23. Mental health of the child**

Item 23 was assigned an overall rating of Area Needing Improvement because the item was rated as a Strength in only 69 percent of the applicable cases. Also, the Statewide Assessment indicated that while mental health services are available, they are not always accessible to many families and a number of families must travel long distances to get to the services because of the large number of South Dakota's very small communities. An additional issue identified was that mental health assessments are not a routine part of the services provided to children in foster care even when children have been victims of chronic abuse/neglect and/or have had multiple placements while in foster care.

**KEY FINDINGS RELATING TO SYSTEMIC FACTORS**

**IV. STATEWIDE INFORMATION SYSTEM**

**Status of Statewide Information System – Substantial Conformity**

**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.**

South Dakota is in substantial conformity with respect to the factor of Statewide Information System. The State currently has two systems in operation. One is a legacy system that records demographic information on families and children, service provision, the child's legal status, and key dates and generates payments to providers. The second is a State Automated Child Welfare Information System called FACIS—Family and Children Information System. The State is in the process of replacing the legacy system with FACIS. FACIS provides more case-related detail and narrative than the legacy system. Reports that are routinely generated through FACIS are recurrence of maltreatment, number of children in foster care, number and types of cases, and number and types of children in the State's Independent Living Program.

## **V. CASE REVIEW SYSTEM**

### **Status Of Case Review System - Not In Substantial Conformity.**

**Item 25. Provides a process that ensures that each child has a written case plan to be developed jointly with the child's parent(s) that includes the required provisions.**

This item was rated as an Area Needing Improvement because CPS personnel are required to incorporate parent input into the case plan or to involve parents in the case planning process. Although the State's Attorney noted that parents are expected to sign case plans when they are completed, most stakeholders, including CPS personnel, reported that, usually, the case plan is prepared by the agency and then presented to parents for their signature. This was confirmed by the case record reviews, which found that parents were not involved in case planning in 36 percent of the cases.

**Item 26. 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.**

This item was rated as an Area Needing Improvement. According to the Statewide Assessment, South Dakota Codified Law 26-8A-24 requires the court to conduct a review hearing every 6 months except in cases where parental rights have been terminated, or the court has placed the child in the custody of the agency with an approved alternative permanent plan. Although the Statewide Assessment indicates that both the mainframe (legacy) and FACIS systems can be used to track the 6-month administrative reviews, stakeholders who are part of the court system indicated that hearings are only tracked prior to TPR or establishment of Long Term Foster Care as a goal. Once these determinations have been made, the court does not track future hearings, but will hold a hearing at the request of the agency. However, periodic reviews are still required by regulation for this population. Although the agency does have Permanency Planning Review Teams (PPRT) in place to assist in the compliance of 6-month hearings, these forums have not been effective in moving children to permanency in a timely manner.

**Item 27. Provides a process that ensures that each child in foster care under the supervision of the State 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.**

This item was assigned a rating of Strength. The Statewide Assessment indicates that the CPS State office tracking system includes tracking of time-frames for achieving 12-month permanency hearings, termination of parental rights for children in care 15 out of the last 22 months, and verification of compelling reasons when termination of parental rights is not initiated. However, most stakeholders agreed that judges do not require the agency to bring children back to court for permanency hearings after either TPR or a goal of Long Term Foster Care has been established.

**Item 28. Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.**

This item was rated as an Area Needing Improvement because although there is an ASFA Tracking Form that documents the State's overall efforts in meeting the requirements of the Adoption and Safe Families Act, there are many delays in achieving termination of parental rights (TPR) in a timely manner. The data indicate that there are 239 children who have been in care 15 of the most recent 22 months and termination of parental rights (TPR) on both parents has not been completed.

**Item 29. 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.**

This item was rated as an Area Needing Improvement. According to the Statewide Assessment, CPS policy requires that local office staff notify foster parents, pre-adoptive parents, and relative caregivers of review hearings. The same policy also states that foster care providers must be given the opportunity to be heard in all hearing or administrative reviews regarding a child in their care. However, stakeholders including foster parents themselves, noted that foster parents and relative caregivers are rarely permitted to participate in the hearings.

## **VI. QUALITY ASSURANCE SYSTEM**

### **Status Of Quality Assurance System - Substantial Conformity**

**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 the children.**

This item was rated as a Strength because the State has established clear standards through its licensing procedures for foster parents and group facilities, its requirement of PRIDE training for all foster parents, and its use of criminal background checks and central registry checks. One concern raised by a stakeholder was that there was no licensing regulation regarding use of physical restraints in residential placement facilities. This was a significant concern because some facilities had been reported for maltreatment as a result of using restraints that were alleged to have caused injuries to children

**Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.**

This item was rated a Strength because of the range of quality assurance activities throughout the State. In addition, stakeholders noted that either Child Protection Councils or Child Protection Teams exist in every area of the State and that they play a significant quality assurance role. Local CPS staff indicated that they hold supervising reviews, which involve a review of one case record per month per supervisor, not per worker.

## VII. TRAINING

### **Status Of Training - Substantial Conformity**

**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.**

This item was rated as a Strength for the State. Not only does the State operate a Certification Training program but supervisors are required to provide an orientation to all new social workers in a local office that usually includes manual reviews, shadowing of experienced workers, and on-going supervisor consultation. Some districts include in-service training sessions, co-assignments of cases with experienced workers, and introductions to community stakeholders as part of the orientation. However, there is only one district that does not assign new social workers to child abuse/neglect investigations until they have completed social worker certification.

**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.**

This item was rated as an Area Needing Improvement because although ongoing training is available from the agency, there does not appear to be any requirements for workers to obtain ongoing training nor is there an established formal curriculum for addressing ongoing training needs. Training was noted to take place during the Social Worker Annual Conference and the Annual Management Conference.

**Item 34. The State 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.**

This item was rated as a Strength because the State provides all foster parents with the PRIDE (Parents' Resource for Information Development Education) Program. PRIDE is a competency-based program that includes a 30-hour preservice (orientation) program for prospective foster and adoptive parents. There are 10 inservice training modules used after initial licensure to address the needs of families after they have been licensed. South Dakota continues to participate in the PRIDE National Advisory Committee to assess and improve the program. In addition to PRIDE, foster parents are required to have 6 hours of inservice training each year.

## VIII. SERVICE ARRAY

### Status With Regard To Service Array - Not In Substantial Conformity

**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.**

This item was rated as a Strength because it was noted that South Dakota has the services necessary to meet the needs of children and families, although it does not have enough of them to ensure access for all children and families throughout the State. To address this problem, the State collaborates with many community services partners to ensure as broad an array of services as possible. The key gaps in services across the State were identified as (1) special needs day care; (2) mental health day-treatment services for children; (3) therapeutic services for adoptive families; (4) multicultural centers; (5) sufficient in-home mental health services so that there are no waiting lists for services; and (6) transportation to receive needed services. Another gap identified was the availability of quality residential placements for children in foster care.

**Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP.**

This item was rated as an Area Needing Improvement. There was general agreement among stakeholders commenting on this issue that services are readily available in Rapid City and Sioux Falls, but not in the more rural areas of the State. Two noteworthy exceptions to this are the Casey Family services offered on the Pine Ridge and Rosebud Reservations.

**Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency.**

This item was rated as an Area Needing Improvement. Although stakeholders identified several services that can be and are individualized to meet the unique needs of children and families, the residential treatment facilities were cited as not individualizing services to meet children's needs, with the exception of the facility operated by the Children's Home Society. In most of the facilities, a "levels" approach to services was used with all children going through the same program regardless of their individual needs. Additionally, the lack of Native American foster homes and foster homes representing some of the cultures of recent immigrants to the State hamper the agency's capacity to meet culturally-related needs for children in foster care.

## IX. AGENCY RESPONSIVENESS TO THE COMMUNITY

### Status With Regard To Agency Responsiveness To The Community - Substantial Conformity

**Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and-family -serving**

**agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.**

This item was rated as a Strength. According to the Statewide Assessment, focus groups were held in six locations prior to the development of the FY2000-2004 plan. Those 6 locations represented a cross section of the State—i.e., the two largest communities, two tribal jurisdictions, and two average- sized communities. A large share of the activities within the Plan includes ongoing involvement of external stakeholders in implementing and evaluating the goals and objectives of the plan. The external stakeholders include the Independent Living Services advisory board, Parenting Education Partners advisory board, tribal contracted programs, State Child Placement Team, Child Protection Teams, Citizen Review Panel, and Children's Justice Task Force.

**Item 39. The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP.**

This item was rated as a Strength. The Statewide Assessment reported that the information from the focus groups and the meeting with the State and federal administrative representatives was used for the dual purpose of completing the Statewide Assessment and the FY 2001 Child and Family Services Plan review.

**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.**

This item was rated as a Strength. Stakeholders interviewed during the review process indicated that it was routine practice for local agencies to meet regularly to discuss cases, identify priorities for services, address mental health services waiting lists, and generally address the issue of service coordination. Stakeholders reported that meetings between the child welfare agency and private agencies occur on a regular basis and aid in coordinating services. The Child's Voice Advocacy Center provides for a multi-disciplinary approach to dealing with sexual abuse issues across the various agencies. There also is coordination with juvenile justice in addressing many of the service needs of children.

## **X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION**

### **Status With Regard To Foster And Adoptive Parent Licensing, Recruitment, And Retention - Substantial Conformity**

**Item 41. The State has implemented standards for foster family homes and child care institutions, which are reasonably in accord with recommended national standards.**

This item was rated as a Strength. South Dakota has had administrative rules for licensing of family foster homes since 1977, for adoptive homes since 1976, for group care centers for minors since 1975, and for residential treatment centers since 1981. These rules were developed using committees of consumers, providers, and other professionals and using CWLA standards and regulations from other States as guidelines. The rules are periodically reviewed and updated to reflect current practice or when concerns are raised by staff, consumers, providers, or the general public.

**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.**

This item was rated as a Strength. According to the Statewide assessment, CPS has comprehensive Licensing and Adoption Manuals that outline agency policies and procedures for licensing and adoption and include explanations for the application of licensing rules. Supervisors of licensing staff are expected to review the manuals with new staff and provide training during the initial period of employment. Children are not placed in a provisionally licensed home.

**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.**

This item was rated a Strength. As noted in the Statewide Assessment, South Dakota Administrative Rules require the following:

- All family foster parents and adoptive parents and adult household members must have criminal record checks completed.
- All staff and volunteers of licensed child welfare agencies must have a criminal record check completed.
- All family foster parents and adoptive parents and household members ten years of age and older must be screened for substantiated reports of abuse or neglect.
- All staff and volunteers of licensed child welfare agencies must be screened for substantiated reports of abuse or neglect.

**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 foster and adoptive homes are needed.**

This item was rated as an Area Needing Improvement because both the Statewide Assessment and the stakeholders interviewed indicated that a major problem confronting CPS is the scarcity of foster homes, particularly Native American foster homes.

**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.**

This item was rated as a Strength. CPS lists children on the regional adoption exchange located in Denver, Colorado. The Adoption Exchange includes Utah, Nevada, New Mexico, Wyoming, Colorado, South Dakota, Oklahoma and Missouri. Details about the children are included in a written profile and a web site, both of which are maintained by the Adoption Exchange. The Adoption Exchange also lists the children on the national web site.

