

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families  
Administration on Children, Youth and Families  
Children's Bureau

**Final Report**  
**Utah Child and Family Services Review**

**September 4, 2003**

**U.S. Department of Health and Human Services**  
**Administration for Children and Families**  
**Administration on Children, Youth and Families**  
**Children's Bureau**

## Introduction

This document presents the findings of the Child and Family Services Review (CFSR) for the State of Utah. The CFSR was conducted the week of April 28, 2003. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the State child welfare agency – the Utah Division of Child and Family Services (DCFS);
- The State Data Profile, prepared by the Children’s Bureau of the U.S. Department of Health and Human Services, which provides State 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:

- Twenty-four cases were reviewed in Salt Lake County, 14 in Utah County, and 12 in Grand and San Juan Counties (Grand/San Juan).
- All 50 cases had been open cases at some time during the period under review.
- 35 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 15 were “in-home services cases” (cases in which families received services from the child welfare agency while children remained with their families and no child in the family was in out-of-home care during the period under review).
- Of the 35 foster care cases, 11 children (31%) were younger than age 10 at the start of the period under review; 6 children (17%) were at least 10 years old, but not yet 13 years old; and 18 children (51%) were 13 years of age and older at the start of the period under review (4 children were between the ages of 16 and 18).
- Of the 35 foster care cases, 23 children (66%) were male and 12 (34%) were female.
- Of all 50 cases, there were 36 cases (72%) in which all children in the family were White; 4 cases (8%) in which all children in the family were African American; 4 cases (8%) in which all children in the family were Hispanic; 3 cases (6%) in which all children in the family were American Indian; 1 case (2%) in which the child was Asian; and 1 case (2%) in which the children were of two or more races. There was one case where the race could not be determined.
- 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) – 16 cases (32%)
  - Child’s behavior/juvenile justice case – 11 cases (22%)
  - Sexual abuse – 6 cases (12%)
  - Substance abuse by parents – 7 cases (12%)

- Physical abuse – 4 cases (8%)
- Domestic violence in child’s home – 3 cases (6%)
- Medical neglect – 1 case (2%)
- Abandonment – 1 case (2%)
- Emotional maltreatment – 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:
  - Child’s Behavior/Juvenile Justice – 20 cases (40%)
  - Neglect (not including medical neglect) – 17 cases (34%)
  - Substance abuse by parents – 17 cases (34%)
  - Domestic violence in child’s home – 13 cases (26%)
- In 13 (37%) of the 35 foster care cases, the children entered foster care prior to the period under review and remained in care during the entire 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.

## SECTION 1: OUTCOMES

### I. SAFETY

#### Safety Outcome 1

<b>Outcome S1: Children are, first and foremost, protected from abuse and neglect.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Salt Lake</b>	<b>Utah</b>	<b>San Juan/Grand</b>	<b>Total Number</b>	<b>Total Percentage</b>
Substantially Achieved:	20	8	7	35	81.4
Partially Achieved:	2	4	1	7	16.3
Not Achieved or Addressed:	0	1	0	1	2.3
Not Applicable:	2	1	4	7	
<b>Conformity of Statewide data indicators with national standards:</b>					
	<b>National Standard (%)</b>	<b>State's Percentage</b>	<b>Meets Standard</b>	<b>Does Not Meet Standard</b>	
Repeat maltreatment	6.1 or less	7.4		X	
Maltreatment of children in foster care	.57 or less	.57	X		

#### STATUS OF SAFETY OUTCOME 1

Utah did not achieve substantial conformity for Safety Outcome 1. This determination was based on the following findings:

- The outcome was substantially achieved in 81.4 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 the percentage of children experiencing more than one substantiated or indicated child maltreatment report within a 6-month period.

However, the State did meet the national standard for the percentage of children maltreated while in foster care.

The data in the table for Safety Outcome 1 demonstrate variation in the sites with respect to substantial conformity with safety outcome 1. In Utah County, only 61 percent of the cases were determined to have substantially achieved this outcome compared to 90 percent in Salt Lake County and 89 percent in Grand/San Juan Counties.

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. Although in many cases workers did respond in a timely manner, in 25 percent of the applicable cases, face-to-face contact with the alleged child victim was not established in accordance with the State's required time frames. However, responses that did not meet State requirements occurred only when maltreatment reports were classified as low or moderate risk, and not when reports were determined to be high risk.

The data reported in the State Data Profile did not meet the national standard for the repeat maltreatment measure. However, the case reviews did not identify extensive repeat maltreatment as determined by the item in the onsite review instrument. There were 17 cases in which there was at least one substantiated maltreatment report during the period under review. Of the 17 applicable cases, 4 cases (23%) had another substantiated report during a 6-month period.

The findings pertaining to the specific items assessed under Safety Outcome 1 are presented below.

### **Item 1: Timeliness of initiating investigations of reports of child maltreatment**

Strength                       Area Needing Improvement

**Review Findings:** The assessment of item 1 was applicable for 20 of the 50 cases. Thirty cases were not applicable because they did not involve reports of child maltreatment during the period under review. In assessing item 1, reviewers were to determine whether the response to a maltreatment report occurring during the period under review had been initiated in accordance with the State child welfare agency requirements. The Utah DCFS requirements with regard to face-to-face contact with the alleged child victim depend on the priority assigned to the report. The time frames for this contact are the following:

- Priority 1 – 1 hour
- Priority 1R – 3 hours
- Priority 2 – 24 hours
- Priority 3 – 3 business days
- Priority 4 - 5 business days

The results of the case review assessments were the following:

- Item 1 was rated as a Strength in 15 (75%) of the 20 applicable cases (11 of which were foster care cases).
- Item 1 was rated as an Area Needing Improvement in 5 (25%) of the 20 applicable cases (all of which were foster care cases).

Cases were rated as a Strength when face-to-face contact was established with the child within the required State time frames. Cases were rated as an Area Needing Improvement for this item when face-to-face contact was not established within the required time frame. Of the five cases rated as an Area Needing Improvement, one was a priority 2, two were priority 3, and two were priority 4.

Stakeholders' perceptions of the timeliness of responses varied. In one site (Grand/San Juan), stakeholders reported that DCFS responded to maltreatment reports in a timely manner. While some stakeholders in Salt Lake and Utah County indicated that responses were usually within required time frames, others suggested that responses are not always timely due primarily to the large caseloads carried by caseworkers. Several stakeholders reported that the timeliness of investigations is facilitated when there is positive collaboration between the local agency and law enforcement.

Stakeholders in Grand/San Juan Counties noted that the role of the agency is not always clear in responding to maltreatment reports when they involve Southern Ute children (This band of the Ute Tribe is not one of the five Federally-recognized tribes in Utah. The Southern Ute Tribe is headquartered in Colorado) who disclose maltreatment to some one at their public school off the reservation but who actually reside on the Tribe's reservation. While some stakeholders indicated that the agency does respond to these reports, other stakeholders indicated that the agency does not follow up on the report and instead tells the reporter to contact the Tribe. Stakeholders in this county also reported that the Southern Ute Tribe would like to have assistance from the agency in assessing maltreatment reports that they receive, but that this does not happen. A few stakeholders suggested that there is a need for additional written agreements and a better understanding of roles. If there was an inter-governmental agreement between the Southern Ute Tribe and the State, there would be a clearer understanding of the role of each party.

***Determination and Discussion:*** Item 1 was assigned an overall rating of Area Needing Improvement based on the finding that in 25 percent of the applicable cases, the agency had not initiated an investigation of a maltreatment report in accordance with the required time frames.

Information in the Statewide Assessment indicates that one of the five DCFS regions in Utah is currently piloting an alternative response program called the Child and Family Assessment (CFA). The purpose of the CFA is to ensure that the child is safe and determine with the family whether services may be needed. This program uses a family assessment of needs and strengths and a community-based approach to working with families to help them acquire the services they need. The alternative response will be

used for maltreatment reports that are deemed to be low-risk with respect to child safety. The Statewide Assessment did not specify whether the State had established time frames for responding to reports that are designated as CFA reports.

## Item 2. Repeat maltreatment

Strength                       Area Needing Improvement

**Review Findings:** The assessment of item 2 was applicable for 43 of the 50 cases. Seven cases were not applicable because there was never a substantiated or indicated child maltreatment report on any of the children in the family. In these cases, either the child entered foster care as a result of his or her behavior (including juvenile justice cases) or the case was opened for services on a voluntary basis. In assessing this item, reviewers were to determine whether there had ever been a substantiated report on the family. Reviewers also were to determine if there was at least one substantiated maltreatment report during the period under review, and if so, if another substantiated or indicated report occurred within 6 months of that report. The results of the assessment were the following:

- Item 2 was rated as a Strength in 39 (91%) of the 43 applicable cases (28 of which were foster care cases).
- Item 2 was rated as an Area Needing Improvement in 4 (9%) of the 43 applicable cases (2 of which were foster care cases).

Item 2 was rated as a Strength under the following circumstances:

- There was a substantiated maltreatment report involving the family prior to the period under review but no report during the period under review (26 cases).
- There was a substantiated maltreatment report involving the family during the period under review, but there was no substantiated report within 6 months of that report (10 cases).
- There was a substantiated maltreatment report involving the family during the period under review, and there was another substantiated report within 6 months, but it did not involve the same perpetrator or circumstances (3 cases).

Four cases were rated as an Area Needing Improvement because there were two substantiated maltreatment reports within a 6-month period, one of which occurred during the period under review (three of these cases were in Utah County). In three cases, the two reports involved similar circumstances and/or the same perpetrator. In one case, there was maltreatment recurrence involving a child in an out-of-home care facility. One report on this case involved sexual abuse of the child by another child in the facility. The other report involved physical abuse of the child by a facility staff member.

Although it is not known how many reports were substantiated, the following provides additional information with respect to the frequency of maltreatment reports for the 43 applicable cases were the following:

- In 8 cases, there was only 1 maltreatment report over the life of the case.
- In 14 cases, there were between 2 and 5 maltreatment reports over the life of the case.
- In 14 cases, there were between 6 and 10 maltreatment reports over the life of the case.
- In 7 cases, there were more than 10 maltreatment reports over the life of the case, with one case having 23 reports.

Some stakeholders commenting on the issue of repeat maltreatment expressed the opinion that DCFS conducts thorough risk assessments and generally makes concerted efforts to engage families in services to prevent maltreatment recurrence. However, other stakeholders expressed the opinion that the agency's risk assessments are not sufficiently thorough, which often results in children being at risk for further maltreatment.

***Determination and Discussion:*** Item 2 was assigned an overall rating of Area Needing Improvement. Although in 91 percent of the 43 applicable cases, this item was rated as a Strength, the State's rate of repeat maltreatment for the year 2001 reported in the State data profile (7.4%) did not meet the national standard of 6.1 percent or less. The criteria and standards for both indicators must be met for this item to be rated as a Strength.

According to the Statewide Assessment, the State's maltreatment recurrence rate of 7.4 percent may be the result of a data reporting issue rather than reflect the actual rate of maltreatment recurrence. In Utah, it is a practice that if a child discloses abuse that happened at a prior time, the date of the disclosure rather than the date of the maltreatment is what is entered into the State's information system. Consequently it is the disclosure date that is reported to the National Child Abuse and Neglect Data System (NCANDS), which is the data source for the maltreatment recurrence data. This results in an appearance of maltreatment events occurring in close proximity when in reality they may have occurred several years apart. The State is addressing this issue with the NCANDS advisory group and will attempt to determine the incidence of maltreatment recurrence that may be accounted for by this practice. The 4 cases rated as an Area Needing Improvement for maltreatment recurrence did not involve disclosure of prior maltreatment.

## Safety Outcome 2

<b>Safety Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Salt Lake</b>	<b>Utah</b>	<b>San Juan/Grand</b>	<b>Total</b>	<b>Percentage</b>
Substantially Achieved:	17	10	11	38	90.4
Partially Achieved:	0	2	0	2	4.8
Not Achieved or Addressed:	1	1	0	2	4.8
Not Applicable:	6	1	1	8	

### STATUS OF SAFETY OUTCOME 2

Utah achieved substantial conformity with Safety Outcome 2. This determination was based on the finding that the outcome was substantially achieved in 90.4 percent of the cases reviewed, which meets the 90 percent required for a rating of substantial conformity.

In most of the cases reviewed for the CFSR, reviewers determined that the agency made diligent efforts to provide services to families to prevent the removal of children from their homes and to address the risk of harm to children. In some cases, these preventative services were provided to the family while the children were living with relatives to ensure that the child was safe from potential harm without being placed in foster care. In other cases, risk of harm was addressed by placing children in foster care and either providing services to the family to facilitate reunification or seeking termination of parental rights (TPR) to achieve alternative permanency goals.

Findings pertaining to the specific items assessed under Safety Outcome 2 are presented and discussed below.

### Item 3. Services to family to protect child(ren) in home and prevent removal

Strength       Area Needing Improvement

**Review Findings:** There were 26 cases for which an assessment of item 3 was applicable. Twenty-four cases were excluded from this assessment because the children entered foster care prior to the period under review and/or there were no substantiated or indicated maltreatment reports or identified risk of harm to the children in the home during the period under review. For this item, reviewers assessed whether, in responding to a substantiated maltreatment report or risk of harm, the agency made diligent efforts to provide services to families to prevent placement of children in foster care while at the same time ensuring their safety. The results of this assessment were the following:

- Item 3 was rated as a Strength in 25 (96%) of the 26 applicable cases (17 of which were foster care cases).
- Item 3 was rated as an Area Needing Improvement in 1 (4%) of the 26 applicable cases (which was not a foster care case).

Cases were rated as a Strength for this item based on the following determinations:

- Services were provided to the parents and child to prevent removal (11 cases).
- The child was placed with relatives and services were provided to the relatives, parents, and children (5 cases).
- The family received post-reunification services to prevent the child's reentry into foster care (3 cases).
- The children were appropriately removed from the home due to risk of harm (6 cases).

Services provided to the families included, but were not limited to, family counseling, educational services, kinship services, anger management, parenting classes, case management, individual and family therapy family preservation services, medical cards, drug and alcohol treatment, medical services, and financial assistance for relative caretakers.

One case received a rating of Area Needing Improvement for this item because reviewers determined that placement in foster care could have been prevented if services had been provided.

Stakeholders commenting on the issue of service provision to prevent foster care placement noted that there are family preservation services in the State that are effective in protecting children in the home. These stakeholders indicated that family preservation services include direct clinical work with families, conflict resolution, case management, and referrals to services. However, as several stakeholders reported, these services are not available in all counties and there is a need for more in-home services if the agency is to be effective in preventing removals.

**Determination and Discussion:** This item was assigned an overall rating of Strength because in 96 percent of the cases, reviewers determined that DCFS had made diligent efforts to maintain children safely in their own homes and provide services. The key concern identified was the scarcity of family preservation services. According to the Statewide Assessment, Utah has court-ordered home-based services, home-based services, and intensive home-based services, but these services are only routinely available in two regions of the State.

#### Item 4. Risk of harm to child

Strength       Area Needing Improvement

**Review Findings:** An assessment of item 4 was applicable for 42 cases. Eight cases were not assessed for this item because the reason for agency involvement was the child's behavior (including juvenile justice cases) and there was no risk of harm to the child in the home or foster home. In assessing item 4, reviewers were to determine whether the agency had made, or was making, diligent efforts to reduce the risk of harm to the children involved in each case. The assessment resulted in the following findings:

- Item 4 was rated as a Strength in 38 (90%) of the 42 applicable cases (28 of which were foster care cases).
- Item 4 was rated as an Area Needing Improvement in 4 (10%) of the 42 applicable cases (2 of which were foster care cases).

This item was rated as a Strength when reviewers determined the following:

- The risk of harm to children was appropriately managed by removing the children from home either prior to or during the period under review and providing services to the parents to reduce risk of harm (25 cases).
- The risk of harm to children was appropriately addressed by removing the children from the home either prior to or during the period under review and seeking termination of parental rights (TPR) (10 cases).
- The risk of harm to children was appropriately managed by providing services to families to address risk concerns while the children remain in the home (3 cases).

This item was rated as an Area Needing Improvement when reviewers determined the following:

- There was risk of harm to the child and the services necessary to reduce that risk were not provided (2 cases).
- A child in foster care was maltreated twice while in a group home for developmentally disabled children, once by another child and once by a staff member (1 case).
- Insufficient services were provided after reunification to ensure the child's continued safety (1 case).

Three of the four cases rated as an Area Needing Improvement for this item were in Utah County.

Stakeholders commenting on this item identified the following factors as facilitating the agency's efforts to reduce risk of harm: (1) thorough risk assessments, (2) use of safety plans on an ongoing basis, (3) use of multidisciplinary teams to review cases, and (4) extensive collaboration with the courts and law enforcement.

***Determination and Discussion:*** This item was assigned an overall rating of Strength because in 90 percent of the applicable cases reviewers determined that the agency had appropriately addressed the risk of harm to the children. According to the Statewide Assessment, every child protective services (CPS) case must include a comprehensive risk assessment tool, an immediate protection checklist, and information that would be important in starting the Functional Assessment process.

## II. PERMANENCY

### Permanency Outcome 1

<b>Outcome P1: Children have permanency and stability in their living situations.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Salt Lake</b>	<b>Utah</b>	<b>San Juan/Grand</b>	<b>Total</b>	<b>Percentage</b>
Substantially Achieved:	9	1	10	20	57.1
Partially Achieved:	4	8	1	13	37.1
Not Achieved or Addressed:	2	0	0	2	5.7
Not Applicable:	9	5	1	15	
<b>Conformity of Statewide data indicators with national standards:</b>					
	<b>National Standard (%)</b>	<b>State's Percentage</b>	<b>Meets Standard</b>	<b>Does Not Meet Standard</b>	
Foster care re-entries	8.6 or less	15.2		X	
Length of time to achieve reunification	76.2 or more	81.7	X		
Length of time to achieve adoption	32.0 or more	70.8	X		
Stability of foster care placements	86.7 or more	80.1		X	

### STATUS OF PERMANENCY OUTCOME P1

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

- The outcome was substantially achieved in 57.1 percent of the cases, which is less than the 90 percent required for an overall rating of substantial conformity.
- The State Data Profile indicates that for Federal fiscal year (FFY) 2001, the State did not meet the national standards for (1) the rate of foster care re-entry and (2) the percentage of children in foster care for 12 months or less who experienced no more than 2 placement settings.

The State did meet the national standard for the percentage of children in FFY 2001 who were (1) reunified within 12 months of entry into foster care and (2) discharged to finalized adoptions within 24 months of entry into foster care.

As noted in the data for permanency outcome 1, there was a considerable difference across counties with regard to achieving permanency outcome 1. In Grand/San Juan Counties, almost all (91%) of the applicable cases reviewed were determined to have

substantially achieved this outcome, compared to 60 percent of the 15 applicable cases in Salt Lake County and only 11 percent of the 9 applicable cases in Utah County. The primary area where the counties differ pertains to permanency planning (item 7). In Utah County, 67% of the nine applicable cases were rated as an Area Needing Improvement for item 7. Compared to only 9% of the 11 applicable cases in Grand/San Juan Counties and 33% of the 15 applicable cases in Salt Lake County.

In general, case reviews revealed inconsistencies with regard to DCFS' efforts to achieve permanency and stability for children in foster care. Although there were many cases in which the children experienced permanency and stability in their living situations, there also were cases in which children re-entered foster care within 12 months of a prior foster care episode (item 5), experienced multiple placements during the period under review (item 6), and either had inappropriate permanency goals (item 10) or were not reunified with parents or relatives in a timely manner (items 7 and 8).

Despite these areas of concern, almost all children with a goal of adoption were found to have achieved or be likely to achieve a finalized adoption in a timely manner (item 9). This is consistent with the Statewide data for FY 2001 indicating that the State's percentage of children exiting foster care to adoption within 24 months of entry into foster care (70.8%) far exceeded the national standard of 32.0 percent or more. Stakeholders commenting on this issue noted that a key facilitating factor with respect to expedited adoptions is the placement of children in foster homes that are already licensed as adoptive homes and the ability to count the time in these foster homes toward the State's statutory requirement that children have to be in an adoptive placement for 6 months prior to finalization. This means that many adoptions can be finalized immediately after termination of parental rights.

Findings pertaining to the specific items assessed under Permanency Outcome 1 are presented below.

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

Strength       Area Needing Improvement

**Review Findings:** Fourteen of the 35 foster care cases were applicable for an assessment of foster care re-entries because they involved children who entered foster care at some time during the period under review. In assessing this item, reviewers determined whether the entry into foster care during the period under review occurred within 12 months of discharge from a prior foster care episode. The results of this assessment were the following:

- Item 5 was rated as a Strength in 10 (71%) of the 14 applicable cases.
- Item 5 was rated as an Area Needing Improvement in 4 (29%) of the 14 applicable cases.

Cases were rated as a Strength for this item when it was determined that the entry into foster care during the period under review did not take place within 12 months of discharge from a prior episode. Cases were rated as an Area Needing Improvement if the entry into foster care during the period under review occurred within 12 months of discharge from a prior foster care episode.

Several stakeholders commenting on this item attributed re-entries into foster care to premature reunifications and/or to the lack of post-reunification services. It was noted that although the Family Preservation Program provides services for up to 90 days following reunification, these services are not available on a statewide basis, and where they are available, there are long waiting lists.

***Determination and Discussion:*** Item 5 was assigned an overall rating of Area Needing Improvement based on the following:

- In 29 percent of the applicable cases, entry into foster care during the period under review occurred within 12 months of discharge from a prior foster care episode.
- Data from the State Data Profile indicate that Utah's re-entry rate for FFY 2001 (15.2%) does not meet the national standard of 8.6 percent or less.

According to the Statewide Assessment, the percentage of children in Utah who re-entered foster care within 12 months of discharge from a prior foster care episode has not changed notably over the past 3 years. Information from the Statewide Assessment suggests that this rate may be due to the high percentage of children age 14 to 17 who are in the State's foster care system. The State reviewed the re-entry data, identified this age group as having the highest percentage of re-entries, and hypothesized that foster care re-entries may be due to the behavioral problems exhibited by older youth. However, in the cases reviewed, all of the four cases rated as an Area Needing Improvement for this item involved children who were younger than age 14 during the period under review.

The Statewide Assessment also noted that data from a special study by the Offices of Services Review in March 2002 found that only half of the children who re-enter foster care within 12 months re-entered from a return home to their parents. Forty-two percent re-entered foster care from a kinship or guardianship placement with relatives. Re-entry from a kinship placement usually occurs when the kin providers feels that they cannot continue to care for the child. This information would indicate that there is a great need for kinship provider support.

The Statewide Assessment also reported that approximately 72 percent of children in foster care have had only one removal episode and 22 percent have had two removal episodes. There are no children in foster care who have been removed more than five times. In addition, in the Northern Region, it was found that 39 percent of the cases that re-entered foster care were open 10 days or less in the first foster care episode.

## Item 6. Stability of foster care placement

\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** All 35 foster care cases were applicable for an assessment of Item 6. In assessing this item, reviewers were to determine whether the child experienced multiple placement settings during the period under review and, if so, whether the changes in placement settings were necessary to achieve the child's permanency goal or meet the child's service needs. The findings of this assessment were the following:

- Item 6 was rated as a Strength in 24 (69%) of the 35 applicable cases.
- Item 6 was rated as an Area Needing Improvement in 11 (31%) of the 35 applicable cases.

Additional findings of the case review were the following:

- Children in 16 cases experienced only 1 placement during the period under review.
- Children in 6 cases experienced 2 placements during the period under review.
- Children in 13 cases experienced 3 or more placements during the period under review. In one case there were 8 placement changes during the period under review.

Cases were assigned a rating of Strength for this item when reviewers determined that the child did not experience a placement change during the period under review (16 cases), or that the placement changes experienced were in the child's best interest (8 cases), such as moving a child from a residential facility to a foster home or moving a child to a treatment facility designed to meet his or her needs.

A rating of Area Needing Improvement for this item was assigned when reviewers determined that placement changes resulted from one or more of the following: (1) an inadequate assessment of the foster parent's ability to care for a large sibling group, (2) an inadequate assessment of a child's treatment needs (e.g., a juvenile sex offender placed in a foster home), (3) lack of services to support placements in foster homes when problems were encountered, (4) a scarcity of appropriate placement facilities (e.g., a 2 year old child placed in a shelter facility), (5) lack of resources to support a stable placement (e.g., insurance coverage ending), and (6) closure of a foster care home.

Stakeholders commenting on this topic noted that almost all children who come into foster care in the State are initially placed in a shelter facility to assess their needs. The stakeholders were in general agreement that although placement stability has been a problem in the past, the use of the shelter placement to conduct comprehensive assessments of children and foster parents has resulted in

improvements in placement stability. Stakeholders noted that the quality of the foster care home or a foster parent's coping ability can affect placement stability, as well as a child's ungovernable behavior or a change in service needs.

**Determination and Discussion:** Item 6 was assigned an overall rating of Area Needing Improvement based on the following:

- In 31 percent of the applicable cases, reviewers determined that children experienced multiple placement changes that did not promote attainment of their goals or meet their treatment needs.
- Data from the State Data Profile for FFY 2001 indicate that the percentage of children experiencing no more than 2 placements in their first 12 months in foster care (80.1%) does not meet the national standard of 86.7 percent or more.

According to the Statewide Assessment, the percentage of children with no more than 2 placement settings in their first 12 months in foster care was 58.9 in 1999, 74.0 in 2000 and 80.1 in 2001. The Statewide Assessment notes that the changes in the data over time may be attributed in large part to modifications made to Utah's placement counting procedure as a result of clarification from the Children's Bureau on the correct way to count placements for the Adoption and Foster Care Analysis and Reporting System (AFCARS). DCFS anticipates that the data on number of placements will continue to improve as procedures are modified to match Federal guidelines.

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

Strength       Area Needing Improvement

**Review Findings:** All 35 foster care cases were applicable for an assessment of item 7. In assessing this item, reviewers were to determine whether the agency had established an appropriate permanency goal for the child in a timely manner. The results of this assessment were the following:

- Item 7 was rated Strength in 23 (66%) of the 35 applicable cases.
- Item 7 was rated as an Area Needing Improvement in 12 (34%) of the 35 applicable cases.

Item 7 was rated as a Strength in 91 percent of applicable cases in Grand/San Juan Counties compared to 67 percent of the cases in Salt Lake County and only 33 percent of the cases in Utah County. This maybe due in part to the fact that in Grand/San Juan Counties only 27 percent of the children in the foster care cases were age 13 or older, compared to 67% of the children in the Salt Lake and Utah Counties.

The case review found that the children in the 35 foster care cases had the following permanency goals:

- 9 children had a goal of adoption.
- 8 children had a goal of “long-term foster care” / eventual emancipation.
- 13 children had a goal of reunification.
- 5 children had a goal of (guardianship) permanent placement with relatives (guardianship).

At the time of the on-site review, 13 of the 35 children in the foster care cases had been in foster care for 15 of the most recent 22 months. TPR had been filed and attained in 5 of the 13 cases. A reason for not filing for TPR was noted in only 1 of the 8 cases for which TPR had not been filed despite the 15-month criterion being met.

Twenty-two cases were assigned a rating of Strength for this item when reviewers determined that the child's permanency goal was appropriate and had been established in a timely manner. Cases were assigned a rating of Area Needing Improvement when reviewers determined one or more of the following:

- There was confusion as to what the child’s goal was, with the goal in the case record differing from the goal that the caseworker was trying to achieve (2 cases).
- The goal of long-term foster care was in place for several years without any effort to explore alternative goals (4 cases).
- The goal is not appropriate to the needs of the child and is not realistic with respect to the potential for achievement (5 cases).
- The goal of reunification was maintained for too long a period of time (2 cases).
- TPR was not sought in accordance with ASFA timelines (2 cases).

Stakeholders commenting on this item noted that permanency planning has improved throughout the State because of a number of policies and practices that DCFS has put in place. These policies and practices include the use of Child and Family Team (CFT) meetings for all cases, the licensing of homes as foster/adopt homes, the adherence to ASFA timeframes, and the practice of holding case reviews in a timely manner. Despite these efforts, however, stakeholders noted that the lack of subsidized guardianships limits permanency options, particularly for older children. In Salt Lake County, stakeholders observed that staff turnover and delays in transferring cases to appropriate permanency units are barriers to timely permanency planning.

***Determination and Discussion:*** Item 7 was assigned an overall rating of Area Needing Improvement based on the finding that in 34 percent of the applicable cases, reviewers determined that the agency had not established an appropriate goal for the child in a timely manner. Key concerns pertained to the inappropriateness of permanency goals in some cases and to the practice of maintaining a goal of long-term foster care without exploring alternatives.

## Item 8. Reunification, Guardianship, or Permanent Placement with Relatives

Strength       Area Needing Improvement

**Review Findings:** Item 8 was applicable for 18 of the 35 foster care cases. In assessing these cases, reviewers were to determine whether the agency had achieved the goals of reunification, guardianship, or permanent placement with relatives for children in a timely manner or, if the goals had not been achieved, whether the agency had made, or was in the process of making, diligent efforts to achieve the goals. The results of this assessment were the following:

- Item 8 was rated as a Strength in 13 (72%) of the 18 applicable cases.
- Item 8 was rated as an Area Needing Improvement in 5 (28%) of the 18 applicable cases.

The cases assessed for item 8 included 13 with a goal of reunification and 5 with a goal of permanent placement with relatives. Review findings with respect to these goals were the following:

- For the 13 cases with a goal of reunification, the goal was achieved within 12 months from entry into foster care in 5 cases.
- For the 5 cases in which the goal was permanent placement with relatives, the goal was not yet achieved. In three cases, the child had been in foster care for more than 12 months.

Cases were rated as a Strength for this item when reviewers determined that the goal had been achieved in a timely manner. The item was rated as an Area Needing Improvement when reviewers determined that the case goals and the activities being undertaken by the agency did not match (3 cases) or when the child and caregivers were not aware of the agency goal and were focused on a different goal (2 cases).

Stakeholders commenting on this issue were in general agreement that DCFS emphasizes both reunification of children with their families and guardianship for relative caregivers. In one county (Grand/San Juan), it was noted that the drug court follows families after reunification and that the court reviews post-reunification cases periodically.

Despite the positive views regarding reunification, stakeholders identified the following barriers to reunification: (1) high caseloads that impede caseworkers from full engagement with families, (2) a reluctance by the courts to reunify families, and (3) a lack of sufficient resources and services to assist families once they are reunified or once a guardianship has been legalized. Other stakeholders noted that many children are voluntarily placed with relatives or the court gives temporary custody to relatives, and the issue of permanency is never addressed because the children are not in foster care. One stakeholder referred to this as “kinship care drift.”

**Determination and Discussion:** This item was assigned an overall rating of Area Needing Improvement. Although data from the State Data Profile indicate that for FFY 2001, the percentage of reunifications occurring within 12 months of entry into foster care (81.7%) exceeds the national standard of 76.2 percent or more, case reviewers determined that the agency had not made diligent efforts to attain the goals of reunification or permanent placement with relatives in a timely manner in 28 percent of the applicable cases. It is necessary for the criteria for both measures to be met for this item to be rated as a Strength.

Although the case review findings are not consistent with data provided in the State Data Profile, the Statewide Assessment notes that in 2002, 71 percent of the children reunified with their parents or guardians within 12 months of their initial removal date from home. This percentage is lower than the national standard of 76.2 and lower than the percentage reported in the State Data Profile for FFY 2001.

### **Item 9: Adoption**

Strength       Area Needing Improvement

**Review Findings:** Nine of the 35 foster care cases were applicable for an assessment of item 9. In assessing this item, reviewers were to determine whether diligent efforts had been, or were being, made to achieve finalized adoptions in a timely manner. The results were the following:

- Item 9 was rated as a Strength in 8 (89%) of the 9 applicable cases.
- Item 9 was rated as an Area Needing Improvement in 1 (11%) of the 9 applicable cases.

Of the 9 cases with a goal of adoption, adoption was finalized in 3 cases with all finalizations occurring within 24 months of the child's entry into foster care. Of the 6 remaining children, 5 were in adoptive placements.

This item was assigned a rating of Strength when reviewers determined that the State had made diligent efforts to achieve finalized adoptions in a timely manner. Factors that facilitated timely adoptions included use of placement families that were approved as both foster care and adoptive homes ("legal risk homes"), timely filing of TPR petitions, and concerted efforts to find appropriate adoptive resources. No court-related barriers or delays were identified.

One case was rated as an Area Needing Improvement because reviewers determined that the State had not made diligent efforts to achieve a finalized adoption in a timely manner, and the child had been in foster care for 31 months. Although the initial adoptive

placement disrupted because of the child's special needs, reviewers determined that the agency had not made concerted efforts to find another adoptive home in a timely manner.

Stakeholders commenting on this topic were in general agreement that the agency makes concerted efforts to expedite adoptions by focusing on timely filings for TPR and adherence to ASFA timeframes for reviews. Other factors noted by stakeholders as facilitating timely adoptions were the following:

- The agency's close collaborations with the courts and the legal community.
- The practice of placing children in foster/adopt homes while implementing concurrent planning efforts.
- The array of services and resources available to support the adoption, such as adoption subsidies and post-adoption supports.

Despite the generally positive perceptions of the agency's efforts to achieve timely adoptions, stakeholders also voiced the following concerns:

- The agency does not make as much of an effort to attain adoptions for older children as it does for younger children.
- There can be significant differences with the Tribes with respect to filing for TPR. For example, the Ute Tribe does not allow TPR, therefore adoption is not a permanency option for these children. The Navajo Tribe does not object to adoption and will consider its appropriateness on a case-by-case basis.

***Determination and Discussion:*** This item was assigned an overall rating of Strength based on the following:

- In 89 percent of the applicable cases, reviewers determined that DCFS had made diligent efforts to achieve adoptions in a timely manner.
- Data from the State Data Profile indicate that the State's percentage of finalized adoptions in FFY 2001 that occurred within 24 months of removal from home (70.8%) exceeds the national standard of 32.0 percent or more.

As noted in the Statewide Assessment, one of the leading factors in achieving adoptions in a timely manner is the State statute that requires a permanency hearing for children within 12 months of the State receiving custody. In addition, the SAFE system (the agency's information system) tracks and notifies workers of the progress on each case while concurrent planning makes it possible for Child and Family Teams to immediately shift to the alternative permanency plan if reunification is not succeeding. Finally, children are placed in "legal risk" homes, which are homes that are willing to adopt children should they not be able to return home. If a child becomes free for adoption and the foster family they are placed with wishes to adopt, the 6-month time requirement for finalization of adoption is deemed to have been met while the child was in the foster care home and the adoption can immediately be finalized if all parties are willing.

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

Strength       Area Needing Improvement

**Review Findings:** Eight of the foster care cases were applicable for an assessment of item 10. In assessing these cases, reviewers were to determine if the agency had made, or was making, diligent efforts to assist children in attaining their goals related to other planned permanent living arrangements. The results were the following:

- Item 10 was rated as a Strength in 6 (75%) of the 8 applicable cases.
- Item 10 was rated as an Area Needing Improvement in 2 (25%) of the 8 applicable cases.

Item 10 was rated as a Strength in five cases when reviewers determined that the child was receiving the necessary services and supports to promote a successful transition from foster care to independent living once the child reaches the age of emancipation. In one case, the item was rated as a Strength because the child, who is developmentally disabled, will be transitioned to a supervised living arrangement at the age of 21 or 22. This item was rated as an Area Needing Improvement when reviewers determined that the goal was never appropriate. Stakeholders commenting on this item noted that independent living services for youth are limited, particularly in rural areas, and the demand is high. According to stakeholders in Grand/San Juan and Salt Lake County, more than 50 percent of the children in foster care are 13 or older. As a result, many youth who need independent living services are not receiving them. Although caseworkers and foster parents assist youth in gaining needed services to prepare them for independence, stakeholders emphasized that more resources are necessary to meet the demand.

**Determination and Discussion:** This item was assigned an overall rating of Area Needing Improvement because in 25 percent of the applicable cases, reviewers determined that the goal of other planned living arrangement was not appropriate for the child's needs.

## Permanency Outcome 2

<b>Outcome P2: The continuity of family relationships and connections is preserved for children.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Salt Lake</b>	<b>Utah</b>	<b>San Juan/Grand</b>	<b>Total</b>	<b>Percentage</b>
Substantially Achieved:	13	5	9	27	77.1
Partially Achieved:	2	4	2	8	22.9
Not Achieved or Addressed:	0	0	0	0	0
Not Applicable:	9	5	1	15	

### STATUS OF PERMANENCY OUTCOME 2

Utah 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 77.1 percent of the cases, which is less than the 90 percent required for substantial conformity.

Similar to permanency outcome 1, there was a considerable difference between Utah County and the other counties with regard to the achievement of permanency outcome 2. Fifty-five percent of the cases in Utah County were determined to have substantially achieved this outcome, compared to 87 percent of the cases in Salt Lake County and 82 percent in Grand/San Juan Counties. The primary areas where these differences were found involved the items pertaining to preserving connections and seeking relative placements.

In general, the CFSR findings indicate that the Utah DCFS makes concerted efforts to place children in close proximity to their families, to promote and maintain parent-child relationships, and to ensure frequent visitation between children and their parents and siblings in foster care. Reviewers determined that DCFS was inconsistent in its efforts to preserve children’s connections to their families and to their racial and religious heritage.

The findings pertaining to the specific items assessed under Permanency Outcome 2 are presented and discussed below.

## Item 11. Proximity of foster care placement

Strength                       Area Needing Improvement

**Review Findings:** Of the 35 foster care cases, 32 were applicable for an assessment of item 11. Cases determined to be not applicable were those in which (1) TPR had been attained prior to the period under review, (2) contact with parents was not considered to be in the child's best interest, and/or (3) parents were deceased or whereabouts were unknown. In assessing item 11, reviewers were to determine whether the child's most current foster care setting was in close proximity to the child's parents or close relatives. This assessment resulted in the following:

- Item 11 was rated as a Strength in 29 (91%) of the 32 applicable cases.
- Item 11 was rated as an Area Needing Improvement for 3 (9%) of the 32 applicable cases.

The cases were rated as a Strength when reviewers determined that the child was placed in the same community or county as parents or relatives (15 cases). Out-of-county placements were rated as a Strength when the placement was determined to be necessary to meet the child's needs (13 cases). Cases were rated as an Area Needing Improvement when reviewers determined that the distance between the child's family and the foster care placement was a barrier to reunification efforts. All three cases rated as an Area Needing Improvement for this item were located in Grand/San Juan Counties. Because of the rural nature of these Counties, there was a lack of placement resources, particularly for older children.

Stakeholders in Salt Lake County expressed generally favorable opinions regarding the agency's ability to place children in close proximity to their families. They noted that the agency has a large pool of foster homes and facilities to draw from and therefore children can be placed within an hour's distance from their homes. However, stakeholders in rural areas and on Tribal lands, particularly in Grand/San Juan Counties, expressed concern about the scarcity of local foster homes, which they believe negatively affects the agency's ability to place children within the community. Thus, children are often placed at great distances from their birth parents and communities of origin making it difficult to sustain sufficient contact to promote reunification. Stakeholders noted that youth offenders typically are placed outside of their community of origin because of the lack of appropriate placements in many communities.

**Determination and Discussion:** Item 11 was assigned an overall rating of Strength because in 87.5 percent of the cases, reviewers determined that DCFS had made diligent efforts to ensure that children were placed in foster care placements that were in close proximity to their parents or relatives, or were necessary to meet special needs.

According to the Statewide Assessment, it is more difficult to identify foster families residing in close proximity to the birth families in rural areas of the State such as the Eastern Region of Utah. Therefore, when a child from that community needs a foster care placement, it is a challenge to keep the child in the same community. This was confirmed by the findings of the case reviews in Grand/San Juan Counties and by the stakeholders in that county.

### **Item 12. Placement with siblings**

Strength       Area Needing Improvement

**Review Findings:** Fourteen of the 35 foster care cases involved a child who had siblings in foster care. In assessing item 12, reviewers were to determine whether siblings were, or had been, placed together and, if not, whether the separation was necessary to meet the needs (service or safety needs) of one or more of the children. This assessment resulted in the following findings:

- Item 12 was rated as a Strength in 12 (86%) of the 14 applicable cases.
- Item 12 was rated as an Area Needing Improvement in 2 (14%) of the 14 applicable cases.

In 4 of the 14 applicable cases, the child was in a placement with at least one other sibling, and in 2 of these cases, the child was in a placement with all siblings. In the other cases rated as a Strength for this item, siblings were separated due to special needs (4 cases) or the agency determined that placement with siblings was not in the child's best interest (4 cases) (e.g., to protect a child from a sibling's sexually reactive behavior). In the two cases rated as Area Needing Improvement, reviewers determined that the agency could not find placements willing to accept large sibling groups (5 and 7 children).

Stakeholders commenting on this topic expressed the opinion that DCFS generally does a good job placing siblings together. They noted that when a child's treatment needs require separating siblings, the agency usually places the children as close as possible and provides resources to facilitate sibling visitation. Stakeholders reported that placement of large sibling groups is difficult, as there are not enough foster homes that can accommodate them.

**Determination and Discussion:** This item was assigned an overall rating of Strength based on the finding that in 86 percent of the applicable cases, reviewers determined that DCFS placed siblings in foster care unless separation was necessary to meet the child's

special needs. According to the Statewide Assessment, placing siblings in the same setting is one of the top priorities of the agency, unless this is contraindicated.

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

Strength       Area Needing Improvement

**Review Findings:** An assessment of item 13 was applicable for 34 of the 35 foster care cases. One case was not applicable for an assessment of this item because TPR had been established prior to the period under review and parents were no longer involved in the children’s lives and the child had no siblings in foster care. In assessing this item, reviewers were to determine (1) whether the agency had made, or was making, diligent efforts to facilitate visitation between children in foster care and their parents and siblings in foster care and (2) whether these visits occurred with sufficient frequency to meet the needs of children and families. The findings of this assessment were the following:

- Item 13 was rated as a Strength in 29 (85%) of the 34 applicable cases.
- Item 13 was rated as an Area Needing Improvement in 5 (15%) of the 34 applicable cases.

Visitation with mothers was not applicable for assessment in 4 of the 34 cases because TPR had been attained and the mother was no longer involved in the children’s lives. Typical visitation between children and their mothers for the 30 cases for which this assessment was applicable was the following:

- Weekly visits - 13 cases.
- Twice a month visits - 4 cases.
- Monthly visits – 7 cases.
- Less than monthly visits - 4 cases.
- No visits – 2 cases.

In the six cases in which visits with mother occurred less frequently than once a month, reviewers determined that the agency had made concerted efforts to promote more frequent visitation.

Visitation with fathers was not applicable for assessment in 14 of the 34 cases due to a variety of reasons including prior TPR, deceased, identity unknown, whereabouts unknown (despite diligent search efforts), or visits between children and fathers were deemed to be not in the child’s best interest. Typical visitation between children and their fathers for the 20 cases for which this assessment was applicable was the following:

- Weekly visits – 5 cases.
- Twice a month visits - 3 cases.

- Monthly visits – 3 cases.
- Less than monthly visits – 5 cases.
- No visits – 4 cases.

In three of the nine cases in which visits with father occurred less frequently than once a month, reviewers determined that the agency had made concerted efforts to promote more frequent visitation.

Visitation between siblings was applicable in 13 cases in which siblings were not placed together in foster care. Typical visitation between siblings was the following:

- Weekly – 7 cases.
- Twice a month visits – 0 cases.
- Monthly visits - 1 case.
- Less than monthly visits - 2 cases.
- No visits – 2 cases.

In two of the four cases in which sibling visits occurred less frequently than once a month, reviewers determined that the agency had made efforts to promote more frequent visitation.

This item was rated as a Strength when reviewers determined that the frequency of visitation met the needs of the child, or that, when visitation was less frequent than needed, the agency had made diligent efforts to promote more frequent visitation and provided alternative forms of contact, such as telephone and e-mail.

Five cases were rated as an Area Needing Improvement for this item when reviewers identified one or more of the following:

- Lack of effort to arrange sibling visitation (1 case).
- Lack of effort to contact the father to involve him in visitation (2 cases).
- Absence of a visitation plan (1 case).
- Denial of visits between child and parents by a residential treatment facility that used visitation as a privilege to be earned (contrary to State policy) (1 case).

Most stakeholders commenting on this issue expressed the opinion that DCFS makes concerted efforts to support visitation between children in foster care and their parents and siblings, although visits tend to occur less frequently in rural counties than in urban counties because of the distance between the child's family and the foster care placement. Stakeholders noted that while most visits are well-coordinated and supervised by DCFS staff, there was some concern that kinship care cases often lack formal visitation plans and may result in unsupervised visits with biological parents which may present some safety risks to children

**Determination and Discussion:** Item 13 was assigned an overall rating of Strength because in 85 percent of the applicable cases, reviewers determined that the agency had made concerted efforts to ensure that visitation was of sufficient frequency to meet the needs of the family.

#### **Item 14. Preserving connections**

Strength       Area Needing Improvement

**Review Findings:** Item 14 was applicable for assessment in all 35 foster care cases. In assessing item 14, reviewers were to determine whether the agency had made, or was making, diligent efforts to preserve the child's connections to neighborhood, community, heritage, family, faith, and friends while the child was in foster care. The assessment resulted in the following findings:

- Item 14 was rated as a Strength in 28 (80%) of the 35 applicable cases.
- Item 14 was rated as an Area Needing Improvement in 7 (20%) of the 35 applicable cases.

Ratings for this item varied across sites. In Utah County, 56 percent of the cases were rated as a Strength for this item, compared to 91 percent of cases in Grand/San Juan Counties and 87 percent of cases in Salt Lake County.

Reviewers indicated that in 25 of the 35 cases, children's primary connections had been “significantly” preserved while they were in foster care; in 6 of the 35 cases, children’s primary connections had been “partially” preserved; and in 4 of the 35 cases children’s primary connections were “not at all” preserved.

Cases were rated as a Strength for this item when reviewers determined that primary connections were significantly preserved with (1) extended family members and friends (e.g., through phone contact and visits), (2) the child’s religious or cultural heritage (e.g., placement with Native American, Hispanic, or Vietnamese families), and (3) the child’s school and community (e.g. selecting placements that do not require a change of school).

Cases were rated as an Area Needing Improvement for this item when reviewers determined the following:

- Multiple changes in foster placements and/or the location of the placements made it difficult to maintain primary connections (2 cases).
- The placement did not facilitate the child’s ability to maintain connections to his racial heritage (1 case), tribal heritage (1 case), culture (1 case), or religious beliefs (1 case).

- The residential treatment facility denied the child’s participation in family visits and church attendance as these were considered to be privileges that the child must earn (1 case).

Stakeholders expressed different opinions regarding whether caseworkers were consistent in identifying Native American children and notifying the Tribes when their children are in State custody. Stakeholders in Salt Lake and Utah County were more likely to identify this as a problem than were stakeholders in Grand/San Juan Counties. There was general agreement among stakeholders, however, that there is a lack of Native American foster homes to ensure placements consistent with the Indian Child Welfare Act (ICWA). As a result, Native American children are not remaining as connected to their culture as they could be because they are placed in non-Native homes.

In Grand/San Juan Counties which incorporates two major tribes, the Navajo and the Southern Ute, if a child lives off the reservation and comes into foster care, the agency contacts the tribe and provides notice per ICWA. However, other stakeholders expressed the opinion that notification is not always made in a timely manner. Although, the Tribes have the option to intervene and take jurisdiction after notification stakeholders indicated that the Tribe rarely intervenes at this point unless they can adequately serve the child on the reservation. Often, the children require more services than the Tribe can provide, so they leave the children in the care of the State agency.

A key concern noted by stakeholders is that Native American children placed with the child welfare agency generally are placed in non-Native homes unless they are with relatives. This is due to the scarcity of Native American foster homes available for placement. Stakeholders suggested that this often results in these children losing the connection to their Tribes, their culture, and their customs. The agency usually leaves it up to the foster parents to decide whether they will make the effort to keep the child connected rather than making it a requirement and having a formal process in place for foster parents to follow.

***Determination and Discussion:*** Item 14 was assigned an overall rating of Area Needing Improvement because in 20 percent of the cases, reviewers determined that the State had not made diligent efforts to preserve children's connections.

### **Item 15. Relative placement**

Strength       Area Needing Improvement

***Review Findings:*** Thirty of the 35 foster care cases were applicable for an assessment of item 15. Five cases were not assessed for this item because the child was either court-ordered to a treatment facility or entered foster care in order to receive treatment. In

assessing this item, reviewers were to determine whether the agency had made diligent efforts to locate and assess relatives (both maternal and paternal relatives) as potential placement resources for children in foster care. The results of this assessment were the following:

- Item 15 was rated as a Strength in 24 (80%) of the 30 applicable cases.
- Item 15 was rated as an Area Needing Improvement in 6 (20%) of the 30 applicable cases.

Cases were rated as a Strength for this item when reviewers determined that children were placed with relatives (5 cases) or the agency had made diligent efforts to search for both maternal and paternal relatives (19 cases). In these latter cases, children were not placed with relatives for a variety of reasons including the relative's inability or unwillingness to care for the children, their physical distance from the family, and/or their criminal records or history of substantiated child maltreatment.

Cases were rated as an Area Needing Improvement for this item when reviewers determined that the agency had not made diligent efforts to search for relatives (both maternal and paternal) as placement resources and reasons for not seeking relatives were not noted in the case file nor identified during case-related interviews. In one case, relative placements were not sought for the first 12 months of a child's stay in foster care, although there were relatives who indicated a willingness to take the child at the time of the child's removal from the home.

Stakeholders commenting on this topic expressed the opinion that the agency generally makes concerted efforts to seek relatives as potential placement resources. They noted that kinship searches are conducted early in the case and both maternal and paternal relatives are considered. However, stakeholders expressed concern that financial and socio-emotional supports for relative caregivers are not always available. Also, children who are placed with relatives who do not enter foster care receive much fewer services and supports than do children who enter foster care.

***Determination and Discussion:*** This item was assigned an overall rating of Area Needing Improvement because in 20 percent of the cases, reviewers determined that DCFS had not made diligent efforts to locate and assess relatives as potential placement resources.

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

Strength       Area Needing Improvement

**Review Findings:** An assessment of item 16 was applicable for 30 of the 35 foster care cases. A case was considered not applicable for an assessment of this item if parental rights had been terminated and parents were no longer involved with the child or if a relationship with the parents was considered to be not in the child's best interests. In assessing this item, reviewers were to determine whether the agency had made diligent efforts to support or maintain the bond between children in foster care and their mothers and fathers. The results of this assessment were the following:

- Item 16 was rated as a Strength in 26 (87%) of the 30 applicable cases.
- Item 16 was rated as an Area Needing Improvement in 4 (13%) of the 30 applicable cases.

This item was rated as a Strength when reviewers determined that (1) there was a strong bond between the parent and the child that the agency supported, or (2) there was not a strong bond between the parent and the child, but the agency made concerted efforts to promote bonding. Examples of DCFS efforts to promote bonding included the following:

- Facilitating contact between parents and child through visits,
- Encouraging parents to attend their child's medical appointments,
- Inviting parents to participate in Child and Family Team meetings and court hearings,
- Paying for the transportation costs involved in visitation, and
- Facilitating visits to incarcerated parents.

The item was rated as an Area Needing Improvement when reviewers determined that the agency did not promote parental involvement with the child to strengthen the parent-child relationship. In one of the four cases rated as an Area Needing Improvement, reviewers determined that the agency did not help to support the parent-child relationship in a case in which an adopted child sexually abused his adopted brother. The parents were rejecting of the child who committed the abuse, and the agency did not work with the parents to address that issue. In the other three cases, reviewers determined that the agency had not made sufficient efforts to promote the father-child relationship (1 case) or did not make an adequate search for the father (2 cases). In the latter two cases, reviewers determined that the father's whereabouts were known to the family but the caseworker did not ask for this information.

Stakeholders commenting on this issue expressed the opinion that the agency makes efforts to promote parent-child relationships and that workers make concerted efforts to maintain these bonds. Stakeholders noted that parents are routinely notified and invited to participate in medical and mental health appointments and are encouraged to participate in school activities.

**Determination and Discussion:** Item 16 was assigned an overall rating of Strength because reviewers determined that in 87 percent of applicable cases, the agency had made concerted efforts to support the parent-child relationships of children in foster care.

### III. CHILD AND FAMILY WELL-BEING

#### Well Being Outcome 1

<b>Outcome WB1: Families have enhanced capacity to provide for their children’s needs.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Salt Lake</b>	<b>Utah</b>	<b>San Juan/Grand</b>	<b>Total</b>	<b>Percentage</b>
Substantially Achieved:	16	8	9	33	66.0
Partially Achieved:	2	3	3	8	16.0
Not Achieved or Addressed:	6	3	0	9	18.0
Not Applicable:	0	0	0		

#### STATUS OF WELL-BEING OUTCOME 1

Utah 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 66.0 percent of the cases reviewed, which is less than the 90 percent required for a determination of substantial conformity.

The case reviews resulted in ratings of Area Needing Improvement for all of the indicators of child well-being outcome 1. Reviewers determined that DCFS was not consistent in assessing and addressing the service needs of children and their parents, in involving parents and children in the case planning process, and in establishing sufficient face-to-face contact with children and parents. In general, DCFS was more consistent in achieving these objectives when the children were in foster care than when the children remained in their homes or in the home of a relative. Some of the key concerns identified pertained to inadequate assessments of the family’s needs and lack of effort to address father’s needs, involve fathers in case planning, and establish contact with fathers.

Findings pertaining to the specific items assessed under Well-Being Outcome 1 are presented and discussed below.

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

Strength       Area Needing Improvement

**Review Findings:** An assessment of item 17 was applicable for all 50 cases. In assessing this item, reviewers were to determine whether the agency had (1) adequately assessed the needs of children, parents, and foster parents; and (2) provided the services necessary to meet those needs. The results were the following:

- Item 17 was rated as a Strength in 33 (66%) of the 50 applicable cases (25 of which were foster care cases).
- Item 17 was rated as an Area Needing Improvement in 17 (34%) of the 50 applicable cases (10 of which were foster care cases).

This item was rated as a Strength when reviewers determined that the needs of children, parents, and foster parents had been adequately assessed and that identified service needs had been met. Services included, but were not limited to, the following: anger management classes, behavioral therapy, chemical dependency treatment, individual and family counseling and therapy, domestic violence treatment, financial support, independent living skills, legal services, medical services, reunification services, transportation vouchers, sexual offender treatment, and a support network for pre-adoptive parents.

A rating of Area Needing Improvement was assigned when reviewers determined the following:

- There was inadequate assessment of the family resulting in unmet needs for services (4 in-home cases and 7 foster care cases).
- Needs were assessed but services were not provided to address identified needs (3 foster care cases, 2 in-home cases).
- Safety plans for other children in the home were not provided (1 in-home case).

Stakeholders commenting on this topic expressed the opinion that DCFS is effective in assessing the service needs of families, particularly through use of the CFTs and the Functional Assessment process. Stakeholders generally agreed that children, parents, and foster parents usually have multiple services available to meet their needs. These stakeholders noted, however, that kinship care cases do not receive the services and resources needed by both the children and the caregivers. These families often have to locate their own supports and services.

**Determination and Discussion:** Item 17 was assigned an overall rating of Area Needing Improvement because in 34 percent of the cases, reviewers determined that the State had not adequately assessed and/or addressed the service needs of children and parents. Ten (29%) of the 35 foster care cases were rated as an Area Needing Improvement for this item, compared to 7 (47%) of the 15 in-home

services cases. According to the Statewide Assessment, services to families are based on an individualized service plan, using a family team approach that incorporates a comprehensive assessment of the child's and family's strengths and needs.

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

Strength       Area Needing Improvement

**Review Findings:** An assessment of item 18 was applicable for 49 of the 50 cases. A case was considered not applicable for assessment of this item if TPR had been obtained on the parents prior to the period under review, there were no pre-adoptive parents or permanent caregivers, and/or the child was too young or had cognitive delays or other conditions that were barriers to their participation in case planning. In assessing this item, reviewers were to determine whether parents (including pre-adoptive parents or permanent caregivers) and children (if age-appropriate) had been involved in the case planning process, and if not, whether their involvement was contrary to the child's best interest. A determination of involvement in case planning required that a parent or child had actively participated in identifying the services and goals included in the case plan. This assessment produced the following findings:

- Item 18 was rated as a Strength in 36 (73%) of the 49 applicable cases (26 of which were foster care cases).
- Item 18 was rated as an Area Needing Improvement in 13 (27%) of the 49 applicable cases (8 of which were foster care cases).

In assessing this item, reviewers made the following determinations:

- Mothers were appropriately involved in the case planning process in 39 cases. In 7 cases, the mother was not involved but should have been. There were 4 cases in which the mother was not available to participate or mother's participation was contrary to the child's best interest.
- Fathers were appropriately involved in the case planning process in 20 cases. In 8 cases the father was not involved but should have been. There were 20 cases in which the father was not available to participate or the father's participation was considered to be contrary to the child's best interest. In 2 cases, reviewers could not determine if the father was involved in case planning.
- Children were appropriately involved in the case planning process in 34 cases. In 6 cases, children were not involved, although reviewers determined that they were old enough to have been involved. There were 10 cases in which reviewers determined that the children were not old enough or were unable to participate in the case planning process due to cognitive delays or other concerns.

This item was rated as a Strength when reviewers determined that all appropriate parties had actively participated in the case planning process. The item was only slightly more likely to be rated as a Strength in the foster care cases (76% rated as a Strength) than in the in-home services cases (66% rated as a Strength).

The item was rated as an Area Needing Improvement when reviewers determined one or more of the following:

- No attempts were made to locate fathers or to involve fathers in the case planning process (8 cases).
- Mothers were not involved in case planning and a reason for their lack of involvement was not provided in the case file (7 cases).
- Children who were deemed old enough to have been involved were not involved (6 cases).

Several stakeholders commenting on this topic expressed the opinion that the use of the CFT meetings promotes parent and child involvement in case planning. They also noted that the introduction of the family-centered Practice Model has resulted in an improvement in the agency's success in achieving parental and child involvement in case planning. However, several stakeholders acknowledged that additional improvements are needed.

***Determination and Discussion:*** Item 18 was assigned an overall rating of Area Needing Improvement based on the finding that in 27 percent of the cases, reviewers determined that DCFS had not made diligent efforts to involve parents and/or children in the case planning process.

According to the Statewide Assessment, Utah's Practice Model requires that families be actively involved in all aspects of their case, including participating in developing the case plan. The Practice Model seeks to involve families in identifying both their strengths and the underlying needs that must be met to ensure a healthy and nurturing environment for family members. It asks family members to help identify formal and informal supports that can help them achieve this goal. CFT meetings are to be held when and where the family desires, with guidance from the caseworker so that most of the individuals from whom input or support is needed are able to attend.

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

Strength       Area Needing Improvement

***Review Findings:*** All 50 cases were applicable for an assessment of item 19. In conducting this assessment, reviewers were to determine whether the frequency of visits between the caseworkers and children was sufficient to ensure adequate monitoring of the

child's safety and well-being and whether visits focused on issues pertinent to case planning, service delivery, and goal attainment. The results of the assessment were the following:

- Item 19 was rated as a Strength in 36 (72%) of the 50 applicable cases (26 of which were foster care cases).
- Item 19 was rated as an Area Needing Improvement in 14 (28%) of the 50 applicable cases (9 of which were foster care cases).

Reviewers noted the following with respect to frequency of visits for the 35 foster care cases:

- In 4 cases, visits typically occurred once a week.
- In 10 cases, visits typically occurred twice a month.
- In 14 cases, visits typically occurred once a month.
- In 7 cases, visits typically occurred less than monthly.

Reviewers noted the following with respect to frequency of visits for the 15 in-home services cases:

- In 2 cases, visits occurred once a week.
- In 4 cases, visits typically occurred twice a month.
- In 7 cases, visits typically occurred once a month.
- In 1 case, visits typically occurred less frequently than once a month.
- In 1 case, no visits were made.

Item 19 was rated as a Strength when reviewers determined that the frequency and quality of visits between caseworkers and children was sufficient to ensure adequate monitoring of the child's safety and well-being and promote attainment of case goals.

The item was rated as an Area Needing Improvement when reviewers determined the following:

- The frequency of caseworker visits was not sufficient to meet the needs of the child and the visits did not focus on issues pertinent to case planning, service delivery, and goal attainment (4 cases).
- The frequency of caseworker visits with children was not sufficient to meet the needs of the child, although when visits did occur, they were substantive (8 cases).
- The frequency of caseworker visits was sufficient, but the visits did not focus on issues pertinent to case planning, service delivery, and goal attainment (2 cases).

Stakeholders commenting on this topic expressed the opinion that caseworkers did have contact with children on a regular basis. However, they also identified barriers to frequent contact such as high caseloads and the distance that a caseworker may have to travel, particularly in rural areas.

**Determination and Discussion:** Item 19 was assigned an overall rating of Area Needing Improvement based on the finding that in 28 percent of the cases, reviewers determined that caseworker visits with children were not of sufficient frequency and/or quality. Foster care cases were slightly more likely to be rated as a Strength for this item (74%) than were in-home services cases (67%).

This finding is not consistent with information in the Statewide Assessment indicating that the policy for in-home cases requires one home visit per month with the child and family. Out-of-home policy currently requires two visits per month with the child. One of the visits must include a private conversation with the child. A conversation with the provider also is required but may be conducted by phone. The Statewide Assessment noted that in order to provide more flexibility and individualization for each case, a new policy will be implemented for foster care and kinship care cases that will require one home visit per month with the child in care by the caseworker and an additional visit by the caseworker or someone on the Child and Family Team. One home visit per month with the out-of-home caregiver also will be required. These changes were made following a study conducted by the Office of Services Review that found that there was a critical difference in outcomes for children and families when the worker made at least one visit to the child and family per month but found no significant increase in the attainment of positive outcomes when more than one visit from the worker was made.

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

Strength       Area Needing Improvement

**Review Findings:** An assessment of item 20 was applicable for 48 of the 50 cases. There were two foster care cases that were not applicable for this assessment because TPR had been attained for the parents and parents were no longer involved in the lives of the children. Reviewers were to assess whether the caseworker's face-to-face contact with the children's mothers and fathers was of sufficient frequency and quality to promote attainment of case goals and/or ensure the children's safety and well being. The results of this assessment were the following:

- Item 20 was rated as a Strength in 28 (58%) of the 48 cases (18 of which were foster care cases).
- Item 20 was rated as an Area Needing Improvement in 20 (42%) of the 48 cases (15 of which were foster care cases).

Typical patterns of caseworker visits with mothers were the following (45 applicable cases):

- Weekly visits - 3 cases.
- Twice a month visits - 5 cases.
- Monthly visits - 15 cases.
- Less than monthly visits - 22 cases.

Typical patterns of caseworker visits with fathers were the following (34 applicable cases):

- Weekly visits - 0 cases.
- Twice a month visits - 3 cases.
- Monthly visits - 10 cases.
- Less than monthly visits - 14 cases.
- No visits – 7 cases.

This item was rated as a Strength when reviewers determined that visits occurred with sufficient frequency to meet the needs of parents and children and that visits focused on issues pertinent to case planning, service delivery, and goal attainment. In contrast to other items, this item was rated as a Strength in 67 percent of the applicable in-home services cases compared to 55 percent of the foster care cases.

The item was rated as an Area Needing Improvement when reviewers determined that visits were not sufficiently frequent to meet the needs of parents and children (16 cases) or that visits were of sufficient frequency, but did not focus on substantive issues pertaining to the case (9 cases).

***Determination and Discussion:*** This item was assigned an overall rating of Area Needing Improvement because in 42 percent of the applicable cases, reviewers determined that the frequency and/or quality of caseworker visits with parents were not sufficient to monitor the safety and well-being of the child or promote attainment of case goals.

According to the Statewide Assessment, caseworker contact with parents is to occur at least monthly, but may range from one visit per month for those cases for which the worker monitors or brokers contracted services, to several visits a week if the family is in crisis. The Statewide Assessment notes that workers are expected to be flexible in setting the times for worker/family contacts and are not to restrict those contacts to only the usual business hours.

## Well-Being Outcome 2

<b>Outcome WB2: Children receive appropriate services to meet their educational needs.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Salt Lake</b>	<b>Utah</b>	<b>San Juan/Grand</b>	<b>Total</b>	<b>Percentage</b>
Substantially Achieved:	21	11	11	43	100.0
Partially Achieved:	0	0	0	0	
Not Achieved or Addressed:	0	0	0	0	
Not Applicable:	3	3	1	7	

### STATUS OF WELL-BEING OUTCOME 2

Utah achieved substantial conformity with Well-Being Outcome 2 based on the finding that 100 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 all applicable cases reviewed, DCFS was effective in assessing children's educational needs and providing appropriate services to meet those needs.

The findings for the item assessed for Well Being Outcome 2 are presented below.

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

Strength       Area Needing Improvement

**Review Findings:** An assessment of item 21 was applicable for 43 of the 50 cases reviewed. Cases that were not applicable for assessment included cases in which the children were not of school age or did not have needs pertaining to education-related issues. In assessing this item, reviewers were to determine whether children's educational needs were appropriately assessed and whether services were provided to meet those needs. The results of this assessment were that item 21 was rated as a Strength in 43 (100%) of the 43 applicable cases (34 of which were foster care cases).

Stakeholders commenting on this topic generally agreed that DCFS, foster parents, and school personnel collaborate to ensure that children's educational needs are met. Because of this collaboration, the agencies have developed policies that enhance their capacity to meet children's educational needs. For example, teachers are allowed to take time to attend CFT meetings, efforts are made to keep the children in the same school when they are in shelter care. In Grand/San Juan Counties, stakeholders noted that the court-initiated Education Enhancement Program (an after school tutoring program) has been extremely beneficial to children in foster care.

**Determination and Discussion:** Item 21 was assigned an overall rating of Strength because in 100 percent of the applicable cases, reviewers determined that DCFS had made diligent efforts to meet the educational needs of children.

According to the Statewide Assessment, Utah law and DCFS out-of-home services policy require that the State assess, plan, and meet the educational needs of children in State custody. Workers are trained to involve teachers in the CFT and, if the child has an Individual Education Plan (IEP), out-of-home caregivers are required to attend IEP meetings. Out-of-home caregivers are required to attend the child's parent-teacher conference and keep educational records in the child's Home-to-Home book. Although there are no education requirements for in-home services cases that are written into policy or law to assess, workers are trained to assess the child's needs, including educational needs, and to encourage the child's parents to involve the child's teacher(s) in the CFT.

### Well-Being Outcome 3

<b>Outcome WB3: Children receive adequate services to meet their physical and mental health needs.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Salt Lake</b>	<b>Utah</b>	<b>San Juan/Grand</b>	<b>Total</b>	<b>Percentage</b>
Substantially Achieved:	18	11	11	40	81.6
Partially Achieved:	3	3	1	7	14.3
Not Achieved or Addressed:	2	0	0	2	4.1
Not Applicable:	1	0	0	1	

### STATUS OF WELL-BEING OUTCOME 3

Utah 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 81.6 percent of the applicable cases, which is less than the 90 percent required for a determination of substantial conformity.

Although Utah did not reach the 90 percent substantially achieved required for substantial conformity with this outcome, the CFSR case reviews identified many strengths in the agency’s efforts to meet children’s physical and mental health needs. For the most part, the agency has been highly successful in providing physical health and dental services to children and in assessing and meeting their mental health needs. A key concern identified with respect to mental health needs is that children were receiving appropriate assessments, but services to address the needs identified through the assessments were not consistently provided.

In addition, while stakeholders in the rural county were more likely than stakeholders in the urban county to identify meeting children’s mental health needs as somewhat problematic, 100 percent of the cases in Grand/San Juan Counties were rated as a Strength for this item compared to 79 percent of the cases in Utah county and 75 percent of the cases in Salt Lake County.

Findings pertaining to the specific items assessed under Well-Being Outcome 3 are presented and discussed below.

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

Strength       Area Needing Improvement

**Review Findings:** An assessment of item 22 was applicable for 48 of the 50 cases reviewed. Cases that were not applicable for this assessment were in-home services cases in which physical health concerns were not an issue. In assessing this item, reviewers were to determine whether (1) children's physical health needs had been appropriately assessed, and (2) the services designed to meet those needs had been, or were being, provided. The findings of this assessment were the following:

- Item 22 was rated as a Strength in 45 (94%) of the 48 applicable cases (33 of which were foster care cases).
- Item 22 was rated as an Area Needing Improvement in 3 (6%) of the 48 applicable cases (2 of which were foster care cases).

This item was rated as a Strength when reviewers determined that children's health needs were routinely assessed and services provided as needed. All but one child entering foster care received health screenings. Similarly, all but one child in foster care had regular physical and dental check-ups.

Cases were rated as an Area Needing Improvement for this item when reviewers determined the following:

- Although the child had physical and dental screenings, the foster parents received only partial medical records, which led to the child receiving all immunizations for a second time (1 foster care case).

- There was no ongoing assessment of the child’s health and dental needs and the child did not receive care for a number of years (1 in-home case).
- A child did not receive initial health and dental screenings and had unmet needs while placed in a residential treatment center (RTC) (1 foster care case).

Stakeholders commenting on this topic expressed the opinion that the agency is effective in meeting the physical health and dental needs of children and that children in foster care routinely receive mandatory screenings and medical services. Through the Fostering Healthy Children program, in partnership with the Department of Health, nurses monitor and track the health care needs of children in foster care and facilitate access to needed services. In Grand/San Juan Counties, stakeholders reported that access to dental services is difficult as there is no provider in one community and the waiting list for the Medicaid dental provider in the other community is three months long.

***Determination and Discussion:*** Item 22 was assigned an overall rating of Strength based on the finding that in 94 percent of the applicable cases, reviewers determined that the agency was adequately addressing the health needs of children in foster care and in-home services cases. In the cases reviewed, medical and dental services were accessible and services were provided.

According to the Statewide Assessment, all children have access to health, dental and mental health providers when they enter foster care. If they are not Medicaid eligible, such as an undocumented child, other funds are used. These funds are also used when a child is in need of services not provided by Medicaid.

The Statewide Assessment also notes that an initial medical assessment of the child is required within 5 days of their removal from their home. Medical, dental and mental health exams or assessments are required within the first 30 days that the child is in custody. These exams are then conducted annually while the child is in custody. When the child is removed, the CPS worker gathers as much medical, psychosocial, mental health and educational information as possible. Policy requires that this information be collected and given to the provider before the placement is made. It is also given to the health care team. The health care team member works in collaboration with the caseworker and the foster parent to resolve any confusion on required medical assessments or care and to assure that all needs are met in a timely manner.

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

Strength       Area Needing Improvement

**Review Findings:** An assessment of item 23 was applicable for 48 of the 50 cases reviewed. Cases that were not applicable were foster care cases in which the child was too young for an assessment of mental health needs. In assessing this item, reviewers were to determine whether (1) mental health needs had been appropriately assessed and (2) appropriate services to address those needs had been offered or provided. The findings of this assessment were the following:

- Item 23 was rated as a Strength in 41 (85%) of the 48 applicable cases (32 of which were foster care cases).
- Item 23 was rated as an Area Needing Improvement in 7 (15%) of the 48 applicable cases (1 of which was a foster care case).

For the 48 applicable cases, reviewers noted that children's mental health needs were "significantly assessed" in 46 cases and "partially assessed" in 2 cases. Reviewers also reported that mental health service needs were "significantly met" in 41 cases, "partially met" in 5 cases, and "not applicable" in 2 cases.

This item was rated as a Strength when reviewers noted that children's mental health needs were "significantly" assessed and the identified mental health needs were "significantly" met. The item was rated as a Strength in 97 percent of the applicable foster care cases compared to 60 percent of the applicable in-home services cases.

The item was rated as an Area Needing Improvement when reviewers determined that assessments and services were only partially provided:

- Needs were not assessed (1 case).
- Needs were assessed but not appropriately addressed (5 cases).
- Services were provided but they were not culturally-appropriate (1 case).

Stakeholders commenting on this topic expressed the opinion that DCFS is usually effective in meeting children's mental health needs and reported that there is a mix of public and private providers. Several stakeholders, however, identified the following as barriers to effective mental health service delivery to children in the child welfare system:

- Turnover among therapists.
- A lack of services to children in kinship care because they are not Medicaid eligible.
- Capitated services (in one county), which results in waiting lists for services and services that are of questionable quality.
- In rural counties, difficulties in engaging families in family therapy because children are often placed at a great distance from their families of origin.

**Determination and Discussion:** Item 23 was assigned an overall rating of Strength based on the finding that in 85 percent of the applicable cases, reviewers determined that DCFS had made concerted efforts to address the mental health needs of children.

According to the Statewide Assessment, each child entering care is required to have a 30-day mental health assessment. The information from this assessment is also included in the Functional Assessment with emphasis on the recommended therapy and/or medication. The information is then incorporated in the Child and Family Plan (CFP) with follow-up and evaluation of the appropriateness of the treatment and the ability to address the child's needs as with any other service, through the ongoing Functional Assessment and CFP adaptation. An annual mental health assessment is then required for as long as the child is in custody. The health care team monitors each child to assure that any recommended therapy is provided. The health care team also monitors and records medication management by entering information from the Health Visit Report that is turned in by the foster parent after each medical/therapy visit into the SAFE system case record for that child.

## SECTION 2: SYSTEMIC FACTORS

### I. STATEWIDE INFORMATION SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4X

### STATUS OF STATEWIDE INFORMATION SYSTEM

Utah is in substantial conformity with the systemic factor of Statewide Information System. Findings for the item assessed for this factor are presented below.

**Item 24. 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.**

  X   Strength                             Area Needing Improvement

Item 24 is rated as a Strength because the SAFE system can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is in foster care. SAFE provides caseworkers with near real time access to child welfare information. SAFE also allows caseworkers and managers to use online access to case information statewide.

According to the Statewide Assessment, Utah’s SAFE was fully operational in September 2001. SAFE collects demographic, referral, assessment, case management, legal status, location, case goals, and payment information. Work is currently underway to implement changes required by the newly adopted Practice Model. The first major update will include the Functional Assessment as part of SAFE. This will be implemented in August 2003.

The Statewide Assessment also reports a change in attitude among DCFS workers and supervisors regarding SAFE. Although several years ago frontline staff complained about the SAFE system, participants in focus groups held as part of the Statewide Assessment acknowledged that “SAFE is working great and it is a great benefit” and that SAFE helps them to get their paper work done on time. Most focus group participants agreed that SAFE is much more user-friendly than it was. Suggestions for improvement offered by caseworkers and supervisors included Functional Assessments and Child and Family Service Plans that are Practice Model compatible.

Stakeholders commenting on this item during the CFSR indicated that SAFE is used consistently across the State and is accessible to all staff and to some key providers. They noted that the system can identify the key characteristics and location of all children in foster care. Several stakeholders reported that the system can generate management reports on a wide variety of topics to meet the needs of the managers. Stakeholders also expressed the opinion that the system’s ability to track children and to remind workers of significant events through its tickler system has been a considerable asset to workers and supervisors. However, there was general agreement among stakeholders that the system needs to be updated to conform to the Practice Model.

**II. CASE REVIEW SYSTEM**

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2X	3	4

**STATUS OF CASE REVIEW SYSTEM**

Utah is not in substantial conformity with the factor of the Case Review System. Findings for each specific item assessed for this factor are presented below.

**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.**

Strength       Area Needing Improvement

Item 25 is rated as an Area Needing Improvement because although the Practice Model approach is making progress in engaging parents in the case planning process, there remain inconsistencies in the degree to which this is occurring in present case work practice.

According to the Statewide Assessment, the new approach to child and family services adopted by DCFS provides for a more family-centered approach to child welfare. The approach incorporates the CFT, which is designed to assess the strengths and needs of the child and family on an ongoing basis and compile assessment information into the Functional Assessment report. The Functional Assessment is intended to reflect the CFT's understanding of the family at any given point in time.

As noted in the Statewide Assessment, members of the CFT may include the child, parents, family members, friends, caseworker, foster parents, mental health providers, medical and health care representatives, religious leaders, teachers or other educational representatives, law enforcement personnel, the child's Guardians ad Litem, and/or the Assistant Attorney General. The CFT creates an initial Child and Family Plan (CFP) to identify resources and services that will enable the family to meet their goals within 45 days of a child's removal from the home or placement in DCFS custody, whichever occurs first.

The Statewide Assessment indicates that the child and family plan includes permanency options and concurrent goals to provide the child with a permanent home within 12 months of the date of the removal (or eight months if a child is under the age of 36 months). If the goal is reunification, the plan specifies a projected return home date. Also included in the plan, as needed, are a safety agreement, a plan for crisis, a plan for the next age-appropriate transition, a plan for transition to independent living if a child is 16 years or older, visitation plans, provisions for medical, dental, mental health, educational, recreational or other specialized services and resources, and methods by which the child's significant relationships can be maintained regardless of the permanency goals. Copies of the plan are sent to the Juvenile Court, Assistant Attorney General, and the Guardian ad Litem assigned to the child, legal counsel for the parents, parents, and out-of-home caregiver.

Stakeholders commenting on this issue noted that children in foster care have case plans and many relevant parties such as parents, children, foster parents, and service providers participate in CFT meetings. However, several stakeholders reported that there is uneven use of the CFT process across caseworkers and the involvement of relevant parties such as parents and children is still a "work in progress." This stakeholder perception is supported by the finding that of the 50 cases reviewed for the CFSR, only 36 (72%) were determined to have involved parents and children in the case planning process. In addition, stakeholders in one region noted that case reviews in that region found that only about 65 percent of the cases involved parents in the case planning process. Stakeholders were in general agreement, however, that the new DCFS policies and practices are clearly family-centered and focus on involving families. Stakeholders suggested that there will be continued improvement in this area as supervisors and workers become more skilled in the Practice Model process and it becomes integrated into day-to-day casework practice.

**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.**

Strength                       Area Needing Improvement

Item 26 is rated as a Strength because periodic reviews of children in foster care are occurring no less frequently than every 6 months.

Information in the Statewide Assessment indicates that Utah complies with the Federal requirement that foster care cases be reviewed at least every 6 months; often reviews are held more frequently. In Utah, the 6-month review is held by the court. The Statewide Assessment reported that data from the SAFE system showed that of the 1,909 cases that were due for case review at the time of the study only five had not yet had that review.

Stakeholders commenting on this item were in general agreement that the 6-month Court reviews occur regularly and in a timely manner. In fact, most stakeholders noted that court reviews often are held every 90 days rather than every 6 months, and that it is extremely rare that a 6-month hearing is rescheduled for a later date or that continuances are granted. However, a few stakeholders expressed concern that the reviews were only “paper reviews;” that is, the court only looks at the reports and does not hear from the caseworker, child, foster parents, biological parents, or other key parties.

Stakeholders also noted that reviews are conducted by a Foster Care Review Board, but that these are not recognized by the court as valid 6-month reviews. Many stakeholders expressed the opinion that the Review Board reviews are a “waste of time and money” and do not help children achieve permanency. A few stakeholders expressed concern that there are too many reviews and they are not coordinated – reviews by the Courts, the foster care review board, and the permanency reviews duplicate one another and increase the burden to the worker and the family.

**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.**

Strength                       Area Needing Improvement

Item 27 was rated as a Strength because the State uses multiple tracking and quality assurance systems to ensure that permanency hearings are occurring for children 12 months after entry into foster care and every 12 months thereafter.

According to the Statewide Assessment, when reunification services are ordered, a permanency hearing is held within 12 months of the removal of the child or within 8 months of the removal if the child is less than 36 months of age at the time of the removal. As required by Utah Code, if the Court does not order reunification services, a permanency hearing is to be held within 30 days of the Dispositional Hearing. The SAFE system alerts the DCFS worker that a permanency hearing is due for each child in care to ensure that hearings are held within the time frame required. The alert is automatically generated at the eighth month mark (or at the sixth month mark if the child is under 36 months of age) from the date that the child was initially removed from the home. When the worker receives notification, contact is made with the Assistant Attorney General and a request is made that a permanency hearing be scheduled.

Most stakeholders commenting on this issue expressed the opinion that 12-month permanency hearings occur in a timely manner. Stakeholders noted that the Court, as well as the agency, tracks timeframes. However, in one county, stakeholders noted that permanency hearings may be delayed if the child is a Native American and the Tribe is not moving on the case. Stakeholders were in general agreement that the 12-month hearings are effective in moving children toward permanency and that extensions or continuances are rarely granted.

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

Strength       Area Needing Improvement

Item 28 was rated as an area needing improvement because the review of cases in the CFSR foster care sample revealed that there are barriers to pursuing termination of parental rights for some children.

According to the Statewide Assessment, the caseworker must use a section in the progress summary to designate if a child has been in out-of-home care for 15 of the last 22 months. If the worker indicates the child has been in care for that long, they are prompted to either enter a TPR date or a compelling reason why TPR has not been filed. In addition, DCFS explores with legal counsel the possibility of TPR prior to 15 months if, at the permanency hearing, it is determined that reunification with parents is not in the best interest of the child and voluntary relinquishment and compelling reasons not to terminate are not an option. The Statewide

Assessment notes that Utah will soon be able to better track those children for whom TPR has been filed and those for whom they have not, and the reason why.

Stakeholders commenting on this area were in general agreement that the agency addresses TPR in the proper timeframes. Stakeholders in two counties reported that the court has a mediation program to help move families toward TPR. Although stakeholders expressed the opinion that the ASFA timelines for TPR have made the agency and the courts more responsive, this was not supported by findings in the case reviews. Of the 13 cases involving a child who had been in foster care for 15 of the most recent 22 months, TPR had been filed in only 5 cases. A reason for not filing was entered in only one of the case files for the 8 remaining cases.

**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.**

Strength       Area Needing Improvement

Item 29 is rated as a Strength because DCFS staff and the Foster Care Citizens Review Board regularly provide notice of reviews to foster parents and many of the courts provide a means for including foster parents' input into the reviews and hearings with respect to children in foster care. There is no consistent process of notification from the courts, however, stakeholder discussions with foster parents from different parts of Utah revealed that they do have opportunities to be heard in administrative reviews and court hearings.

According to the Statewide Assessment, formal notice of court reviews is only given if the caregiver establishes legal standing. Kinship care providers are usually given notice as a courtesy. Foster parents are usually notified by the DCFS caseworker. The opportunity for a caregiver to provide input during a court hearing varies by courtroom. Some judges allow the caregivers to give an oral report. However, the courts are not required to allow non-parties to address the court. Caregiver's comments and opinions may also be included in a court report prepared by DCFS workers and distributed to the court and all parties prior to the hearing. The Statewide Assessment indicates that the Court Improvement Project evaluation (completed at the end of 2002) found that foster parents were recorded as being present in 35 (33%) of the 106 review hearings. These data do not indicate whether foster parents that did not attend were invited and chose not to attend, nor does it indicate whether foster parents were allowed to address the court.

The Statewide Assessment notes that foster parents, pre-adoptive parents and kinship care providers are routinely invited to attend the FCCRB review and are notified of the date, time, and place of the review. They also may participate via conference call or written report. Children placed with unlicensed relative caregivers are not reviewed by FCCRB. During a FCCRB review, each child,

parent, or caregiver is provided with the opportunity to present his or her perspective on the status of the child’s safety, well-being, and opportunities for permanence.

Stakeholders interviewed during the on-site phase of the CFSR were in general agreement that foster parents receive notification of reviews held by FCCRB. However, stakeholders reported that foster parent notification of court hearings is the responsibility of caseworkers, and they are not always consistent in this practice. Stakeholders also noted that foster parents’ input during court hearings and reviews varies depending on the judge. In one county, stakeholders said that if foster parents attend the court hearing, the judge asks them to report on the child’s progress. However, stakeholders in this county also said that foster parents are not consistently notified about the court hearings. In general, stakeholders noted that foster parents were more likely to participate in the reviews conducted by the Foster Care Citizens Review Board than they were to participate in court hearings or reviews. Stakeholders also were in agreement that there is a formal process in place for notifying foster parents about the Review Board reviews but not for notifying foster parents about court hearings.

### III. QUALITY ASSURANCE SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4X

#### STATUS OF QUALITY ASSURANCE SYSTEM

Utah is in compliance with the systemic factor of Quality Assurance System. Findings with regard to the specific items assessed for this factor are presented below.

**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.**

  X   Strength             Area Needing Improvement

Item 30 is rated as a Strength because Utah has developed and implemented standards for quality through the development of the Performance Milestone Plan in 1999 and the Outcome Measures Reports in subsequent years. The focus of these standards is safety for children in the DCFS foster care system.

According to the Statewide Assessment, DCFS has a contract with the Department of Health to provide the Fostering Healthy Children Program. This program provides for RNs and health program representatives to be co-located with foster care workers across the State to track and manage the physical, dental and mental health needs of all children entering foster care. Required medical exams include and initial medical assessment, a well-child exam, dental exam and mental health assessment within 30 days of entry into care and then exams annually thereafter. The RNs also oversee the follow-up care for those children requiring it.

Stakeholders commenting on this topic during the CFSR noted that there are licensing standards in place, there are quality review procedures in place, and there are policies in place that require frequent contact between the caseworkers and children, to ensure the child's safety and health.

**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.**

Strength                       Area Needing Improvement

Item 31 is rated as a Strength because Utah has an identifiable quality assurance system that functions on a statewide basis.

According to the Statewide Assessment, the State of Utah has been conducting statewide quality assurance reviews for eight years in connection with the David C. vs. Leavitt lawsuit and the settlement agreement and Performance Milestone Plan that resulted from that case. For the past 4 years, the reviews include both a CPR that is policy compliance oriented and a QCR that is outcomes based. The reviews are conducted jointly by the Office of Services Review, which is a part of the Department of Human Services, and the Child Welfare Policy and Practice Group (CWPPG). The reviews are each conducted on an annual basis across the State. Both the CPR and QCR address ASFA requirements. The outcomes measured in the QCR include safety, permanency and well-being. Likewise, the CPR examines compliance with policy addressing these outcomes.

Stakeholders commenting on this topic generally noted that the agency uses several methods of assuring quality services for children including management reports from SAFE, supervisory case review, Quality Improvement (QI) team meetings, utilization reviews, court reviews, CPR, and QCR.

**IV. TRAINING**

<b>Rating of Review Team Regarding Substantial Conformity</b>				
Rating	<b>Not in Substantial Conformity</b>		<b>Substantial Conformity</b>	
	1	2	3	4X

**STATUS OF TRAINING**

Utah is in substantial conformity with the systemic factor of training. Findings with regard to the specific items assessed for this factor are presented below.

**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.**

  X   Strength      \_\_\_\_\_ Area Needing Improvement

Item 32 is rated as a Strength because Utah provides a staff development and training program for new workers. The Practice Model Training consists of 5 modules of four days totaling approximately 120 hours and includes over 40 hours of classroom training designed to teach new employees about how the Division does its daily business. The CORE training consists of 5-6 modules each of which takes 3 to 5 days to complete. The CORE training is offered separate from the Practice Model Training. After classroom training, there is an on-the-job mentoring program. Taken together, DCFS has a 9-week pre-service training program for new workers.

According to the Statewide Assessment, requirements for training of DCFS caseworkers are set in Utah statute. State statute requires classroom training and a 3-month mentoring period for each new employee and creates a training coordinator position to develop and maintain a statewide training program. There is a strong tradition of mentoring and transmission of information that is based on the collective training and experience of staff. It is a requirement of the Performance Milestone Plan, and each region has a current plan for how they will develop and maintain mentoring for their staff.

The Statewide Assessment also notes that although there is a common understanding about delivery of training based on communication among region directors, regional trainers and the State office, procedures are not available in writing to offer a systematic picture of the way in which training is occurring. A single source of information on training policy and procedures is in progress with much of the information needed for that guide being generated through the experience of developing a comprehensive statewide training system.

A State training plan exists for the areas in which training has and will be developed. This plan is the responsibility of the State training coordinator and is developed with input from State office staff, regional administration, steering committees for program service areas and community partners. It is updated as new information or needs are identified or new requirements are created. The current evaluative instrument for all training is the QCR.

The State training plan, like the procedures, is not written comprehensively in one document and is still in the process of being worked out. Parts of the plan have been written as proposals for new employee training and mentoring and other parts come from the Performance Milestone Plan and from statute. Agreements exist with State specialists and SAFE staff to create training initiatives that combine policy, SAFE and program procedures to provide the program service area training. A proposal is needed for supervisory training, for program area training initiatives and for substantive area training initiatives (domestic violence, substance abuse, etc.). A comprehensive document is needed.

Stakeholders who commented on this issue generally praised the new pre-service training offered by the agency noting that it is better than before. In particular stakeholders praised the mentoring program. In Salt Lake County, some stakeholders also commented that training provided for new workers includes training about how to plan and prepare children and their families for transitions. However, stakeholders reported the need for additional training in areas such as policy, court procedure, CPS, mental health treatment, and Family Team Meetings. In Salt Lake County, stakeholders noted a particular need for more cross training on other systems and procedures. Stakeholders in that county also reported that initial training is overwhelming for workers, especially those who also carry a caseload, and they need practical hands-on training regarding case management skills.

Stakeholders in Utah and Grand/San Juan Counties indicated that new workers in that county complete the Practice Model Training, which involves 5 modules, with 4 days for each module.

**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.**

Strength       Area Needing Improvement

Item 33 was rated as a Strength because a vast array of specialized trainings are available to employees covering specific issues and concerns.

According to the Statewide Assessment, ongoing training for staff has been a major emphasis for Child and Family Services for the last several years. As a result of the settlement agreement developed in response to the David C. vs. Leavitt lawsuit, there is a requirement that caseworkers receive at least 40 hours of ongoing training each year. Requirements also are set by the Department of Health for delivery of Targeted Case Management (TCM) training.

The Statewide Assessment notes that there is a need for specialized training in particular areas. Training needs to be developed for supervisors to help them develop supervisory skills and ensure that they understand proper practices and are able to mentor caseworkers. In addition, training for specific positions such as CPS workers and adoption workers is needed and is in the developmental stage.

Stakeholder comments on this topic varied across the sites included in the CFSR. Stakeholders in one county reported that there are many ongoing training opportunities, while stakeholders in another county identified lack of funding as a key barrier to accessing ongoing training. In another county, stakeholders noted that there is cross-training with law enforcement and wrap-around training with mental health providers. Stakeholders identified several areas where training is needed including legal issues, mental health, AFSA guidelines, adoption, and domestic violence. Some stakeholders reported a particular need for training for supervisors. Stakeholders also noted that it is difficult for workers to find a balance between training and carrying a caseload.

**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.**

Strength       Area Needing Improvement

Item 34 was rated as a Strength because training for current or prospective foster parents, adoptive parents and staff of State licensed facilities is conducted by the Utah Foster Care Foundation and is perceived as being of high quality.

According to the Statewide Assessment, Utah has contracted with the Utah Foster Care Foundation (UFCF), a public non-profit organization, to provide recruitment and training for foster and adoptive families in the State. UFCF uses a two-stage training that begins with a pre-service training to prepare families to make an informed decision about their ability to become caregivers and to meet the needs of children in Child and Family Services custody. The second stage of foster and adoptive family training uses the Comprehensive, Competency-Based In-Service Training (CCBIT) developed by the Institute for Human Services (IHS).

Pre-service training is provided in eight 4-hour sections, for a total of 32 hours. The training includes Orientation/Teambuilding; Child and Family Services Policy & Procedure/ Licensing/Medical; Abuse & Neglect/Child Sexual Abuse; Impacts of Abuse on Child Development; Attachment/Separation Grief & Loss; Discipline/Effects of Care giving on the Family; Cultural Issues/Primary Families; and Adoption Issues. The UFCF pre-service training curriculum from IHS is a formal, planned sequence of learning activities specifically designed to achieve goals and objectives.

The UFCF trainers also provide in-service trainings for the agency through the foster and adoptive parent “clusters” (i.e., groups of foster, adoptive or kinship caregivers formed to support one another throughout their care giving experience). Each cluster facilitator makes several requests for the types of trainings that the families in their clusters have identified as a need. In addition, twelve hours of in-service training are required for re-licensure each year in Utah.

Most stakeholders commenting on this topic expressed the opinion that both the initial training and the ongoing foster parent training are comprehensive and effective. Some stakeholders noted that foster parents also may access the Practice Model Training and that those that have believe that it has helped them understand how best to work with biological parents and the agency. Stakeholders in Salt Lake County reported that foster parent training in this county may be tailored for Latino and Native American Families.

## V. SERVICE ARRAY

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3X	4

### STATUS OF SERVICE ARRAY

Utah is in substantial conformity with the systemic factor of Service Array. Findings with regard to the specific items assessed for this factor are presented below.

**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.**

Strength       Area Needing Improvement

Item 35 is rated as a Strength because the Division has developed an array of services to address the needs of children and families statewide. Thus, there are appropriate services available throughout the State to match the assessed needs of most families. However, not all of the services are consistently available in all jurisdictions of the State. The issue of the equitable distribution of services is discussed in greater detail in the next item related to service array.

According to the Statewide Assessment, there is a wide array of services in the State. These services include parenting education, mental health treatment, substance abuse treatment, domestic violence treatment, linkages with other Federal subsistence programs (e.g., TANF, food stamps, day care, Medicaid), home maker services, employment and/or vocational training, housing, and transportation.

The Statewide Assessment also notes that Utah uses Federal funds from the Promoting Safe and Stable Families program to provide all five regions with family preservation services. Funds from this program also are used to provide Community-Based family resource and support services in connection with [the Utah] Federal Community-Based Family Resource and Support (CBFRS) grant

and the Children’s Trust Account, to fund 11 Family Support Centers statewide. This network of community-based family resource and support services reaches almost every community in the State and is most often consistent with the language and culture of the families being serviced.

However, as noted in the Statewide Assessment, there is a lack of dental providers that are willing to accept Medicaid, especially in rural areas. For all services, if a child or family is on Medicaid it can take several weeks or months before an appointment is available. This can cause problems for families trying to meet the time-limited reunification requirements because they are not able to access the treatment services they need. Several rural communities across the State of Utah also struggle to provide services such as public transportation, parenting classes, crisis respite, and domestic violence treatment. In order to obtain these services, families must travel some distance from their homes.

According to comments from Stakeholders, services are available in some areas of the State, but not others, as noted in item 36 below.

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

Strength       Area Needing Improvement

Item 36 is rated as an Area Needing Improvement because not all services are available in all jurisdictions, consistently.

According to the Statewide Assessment, not all services in item 35 are accessible or available to families and children in all of Utah’s counties. There are gaps in the accessibility of services in both urban and rural areas of Utah, but there are more gaps in the service array in rural areas of the State. In urban areas, there is a lack of specialized services and services such as housing and bilingual (Spanish/English) services. In rural areas, there is a lack of basic services such as counseling and parenting classes.

The Statewide Assessment also notes that in the Northern Region of the State, there is a need for resources that provide for Spanish speaking clients. In the Southwest and Eastern Regions, there is a need for more mental health services, peer parenting services, and substance abuse treatment. As indicated in the Statewide Assessment, child welfare caseworkers have reported a need to know what services are available in their areas and how to access them.

Stakeholders commenting on this topic reported significant gaps in services. In Salt Lake County, although stakeholders noted that there are many services available for children and families, the families experience waiting lists for services such as mental health and

substance abuse treatment. In another site, stakeholders expressed positive opinions about the availability of the Drug Court, peer parenting for foster parents, medical services, intensive outpatient substance abuse treatment, and substance abuse treatment provided by the Navajo Tribe. However, service gaps in that county included inpatient substance abuse treatment, independent living services, mental health services, and a lack of foster family homes. In the third site, the identified service gaps include housing, services for children 8-10 years old, mental health services for children with disabilities, domestic violence services, foster homes for adolescents, and substance abuse treatment for youth.

Stakeholders in all counties were in agreement that in kinship care families, neither the children nor the caregivers receive sufficient services from the agency. Also, if a family is not Medicaid eligible (as many kinship care families are not), it is very difficult to obtain needed services from community providers.

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

  X   Strength       Area Needing Improvement

Item 37 is rated as a Strength because there are indicators that the State is providing funding options to allow caseworkers to provide and arrange for services that match the assessed needs of children and families who are served by DCFS. Stakeholders provided several examples of efforts by the agency to more closely connect presenting problems and needs with appropriate services.

As noted in the Statewide Assessment, the purpose of the CFT is to ensure the individualization of services for children and families. The Statewide Assessment also reports that the QCR system measures “effective results” by examining whether a child and family are receiving the planned education, therapies, services, and supports that would result in improved functioning and achievement of desired outcomes for the child and family enabling the child to live in an enduring home without agency oversight. Over the past 3 years, the statewide scores in this area have improved from 58.0 percent in FY 2000 to 70.8 percent in FY 2002.

Stakeholders commenting on this topic suggested that DCFS is able to individualize services for families. Some stakeholders indicated that the family preservation and family reunification services are effective in individualizing the approach to families and meeting their unique needs. There also was evidence of individualization of services in the cases reviewed. In one case, the agency was found to make extensive efforts to meet the individualized needs of three deaf children; in another case, the agency was able to access immediate dental services when necessary; and in another case, insulin testing kits were provided to everyone who was likely to be in contact with a child who was diabetic. Stakeholders noted that there is funding available to address the unique needs of many children and families.

**VI. AGENCY RESPONSIVENESS TO THE COMMUNITY**

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3X	4

**STATUS OF AGENCY RESPONSIVENESS TO THE COMMUNITY**

Utah is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. Findings with regard to the specific items assessed for this factor are presented below.

**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.**

Strength       Area Needing Improvement

Item 38 is rated as an Area Needing Improvement. According to the Statewide Assessment, the agency uses the Child and Family Services Plan process, regional and State-level Quality Improvement (QI) Committees, and annual stakeholder interviews to involve community and State stakeholders. The Statewide Assessment notes that the process that the agency has used for involving community and State stakeholders in development of the Child and Family Services Plan (CFSP) and in agency operations is not yet optimal in meeting the goals of the Practice Model toward inclusion of stakeholders. In existence for three years, some QI committees have become very effective in gathering information and making recommendations for improvement of the child welfare system, while other regions have had a difficult time keeping participants interested enough to consistently attend meetings.

Although Utah does make efforts to involve many local stakeholders in its planning processes, there appears to be a lack of representation of all the appropriate stakeholders.

The Performance Milestone Plan also includes annual stakeholder interviews with stakeholders selected from regional lists. Information from the stakeholder interviews is compiled and relayed to the regions and to the State administration team. This information is used to help make improvements in the child welfare system.

Stakeholders included in the CSFR process were in general agreement that the agency collaborates with external stakeholders. However, in Salt Lake County, stakeholders noted that although the agency regularly consults and collaborates with some external stakeholders, other stakeholders are not routinely included.

In Grand/San Juan Counties, stakeholders noted that agency collaboration with Native American Tribes varies by Tribe. The State has an intergovernmental written agreement with the Navajo Tribe that addresses jurisdictional issues as well as other concerns. In addition, the Tribe and local DCFS office meet monthly to go over issues, cases, and concerns. The State does not have a formal, written intergovernmental agreement with the (Southern) Ute Tribe, although there is an informal, verbal agreement. However, over the years, the key personnel involved at both the State and the Tribal levels have changed so that the people who made the verbal agreement are no longer there. In addition, there are no regularly scheduled meetings between the State and representatives from the (Southern) Ute Tribe.

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

Strength       Area Needing Improvement

Item 39 is rated as a Strength because community and State stakeholders are involved in the CFSP development process.

According to the Statewide Assessment, a variety of community and State stakeholders participate in the CFSP joint planning process each year, including representatives from each of the major tribes in the State, the court improvement project, the FCCRB, Foster Care Association, UFCF, county youth services, Attorney General's office, Guardian ad Litem's office, community advocacy groups, tribal representatives, education, mental health, health, private adoption resources and higher education. However, no formal process has been established for continual assessment of major stakeholder participation in the consultation process. The agency also has not evaluated barriers to participation. Informally, an assessment is conducted annually of persons invited to participate in the prior year's joint planning meeting and who actually attended. Then the agency makes a determination of whom to include for the following year.

Stakeholders commenting on this topic reported that external stakeholders are both formally and informally involved in contributing to annual reports of progress and services delivered.

**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.**

  X   Strength      \_\_\_\_\_ Area Needing Improvement

Item 40 is rated as a Strength because the Division has coordinated services between Federal and federally assisted programs, such as the Community-Based Family Resource Programs, as well as coordinated interagency involvement with state agencies.

According to the Statewide Assessment, Utah has been effective in teaming with others to provide a coordinated response for providing services to children and families. In most communities, there are successful partnerships. In the past 10 years, the State of Utah has made great strides in coordinating between agencies and involving the family in decision-making. The State of Utah established through law an initiative entitled FACT (Families, Agencies, Communities, Together). This was started as an interagency initiative involving the Department of Health, Department of Human Services, State Office of Education, Administrative Office of the Courts and the Department of Workforce Services. The intention of FACT was to bring about system change in the way in which services were delivered to families with co-occurring needs through coordination and collaboration. Two levels of collaboration were established through FACT: school-based interagency teams composed of line workers from the partner agencies, and local interagency councils (LIC) that were established along county lines (or multi-county lines in rural areas) throughout the state. The LIC’s were often used as a next step when families needed more assistance than was available in the school-based teams. Although the funding for FACT has been cut, the positive coordination of services has remained to some extent.

Stakeholders commented that the agency coordinates services with other programs and agencies such as health department and the Courts to implement better services. Some stakeholders noted that CFTs have aided service coordination. Stakeholders also reported that the loss of funding for FACT has had a negative impact on the coordination of services.

**VII. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION**

<b>Rating of Review Team Regarding Substantial Conformity</b>				
Rating	<b>Not in Substantial Conformity</b>		<b>Substantial Conformity</b>	
	1	2	3X	4

**Status of Foster and Adoptive Parent Licensing, Recruitment, and Retention**

Utah is in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. Findings with regard to the specific items assessed for this factor are presented below.

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

Strength                       Area Needing Improvement

Item 41 is rated as a Strength because standards for foster family homes and child care institutions are in accord with recommended national standards.

According to the Statewide Assessment, the State of Utah has established and maintained standards for foster family homes, adoptive homes and child care institutions. The DCFS Office of Licensing was created to ensure proper regulation of the standards.

The Statewide Assessment notes that the standards for foster family homes, adoptive homes, and child care institutions are reviewed every five years and any changes, additions or deletions of standards are submitted to the Legislative Rules Committee. Major areas for licensure of a foster family home include a Resource Family Assessment (home study), health and safety check of the home, verification of income, medicals for providers, three letters of reference, verification of training required by Child and Family Services, criminal background and child abuse and neglect clearances. Additionally, signatures are required on confidentiality forms and on certification forms stating applicants have read, understand and are willing to abide by Foster Care Rules and the Department Provider Code of Conduct.

As noted in the Statewide Assessment, challenges to the agency include the difference between the minimum standards of foster care licensing used by the Office of Licensing and the higher standards used by the adoption committees. Some families have complained that the process required to re-license is cumbersome, requiring too much time and effort. On occasion, a licensor approves a family for foster care, but Child and Family Services does not find them qualified at a level to take one of the available children, creating frustration on the part of the family.

Stakeholders commenting on this issue expressed the opinion that the State has appropriate standards for foster family homes, adoptive homes, and child care institutions. Concern was expressed, however, about the lack of standards for kinship placements when the caregiver is not a licensed foster care provider.

**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.**

  X   Strength                      \_\_\_\_\_ Area Needing Improvement

Item 42 was assigned a rating of Strength because the licensing of foster and adoptive homes is uniform and conducted annually.

According to the Statewide Assessment, both individuals and facilities must apply annually for licensure and meet a wide range of standards. The process for the licensing of foster and adoptive homes is the same for both relative and non-relative care providers, as long as the relative care providers are to be licensed foster parents. If the court determines that custody and guardianship should be given to a relative, foster care payments are not made to the family and only a criminal background check and safety inspection are completed and reported to the court. The court then makes the decision to award custody and guardianship to the relative. Training requirements are not applicable in this instance but providers are welcome to attend any provider training available.

Stakeholders commenting on this area reported that foster homes are re-evaluated annually and that a relative caregiver who becomes a licensed foster family must meet the same standards as a non-relative caregiver. However, it was noted that a child can be placed in a relative's home when a background check has occurred and the short-form home study completed, rather than having to wait until the full licensing process is completed.

**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                       Area Needing Improvement

Item 43 is rated as a Strength because criminal background checks are required by State statute for employees of child placing agencies and all foster and adoptive families. Additionally, a recent review of the State’s licensing standards and processes revealed that there is consistent application of the processes required for foster and adoptive home placements that are supported by Title IV-B and Title IV-E funding.

According to the Statewide Assessment, the Office of Licensing, which is a part of the Department of Human Services, conducts criminal background screenings for Child and Family Services. Criminal background checks are required in both State statute and licensing rules for employees of child placing agencies and all foster and adoptive families. According to statute and rule, convictions including felonies, misdemeanors and infractions involving crimes against a person (assault, battery, etc.), crimes against the family and sexual crimes would be cause for denial of the background screening application. Nearly 80 percent of all approved background screening applications are completed within two weeks of submission. Also included in the background screening is a check of the State’s child abuse database. Incidents of severe physical abuse, severe neglect and sexual abuse disqualify individuals for licensure or employment. Utah statute requires a national (FBI) background check for an individual who has not lived in the state consistently for the past five consecutive years and a check of the Utah criminal history as well. Background checks are completed bi-annually for all employees and foster parents. These checks are also required for all parents adopting through private agencies or attorneys and for kinship placements.

Stakeholders commenting on this topic agreed that criminal background checks are conducted annually. Stakeholders in one county noted that in-State background checks are improving, but may take a month to complete. However, for out-of-State background checks, stakeholders reported that completion of background checks may take 2 or 4 months.

**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.**

Strength                       Area Needing Improvement

Item 44 is rated as an Area Needing Improvement because of the Division's difficulty in recruiting potential foster and adoptive families that reflect the ethnic and racial diversity of children in foster care. A process for ensuring diligent recruitment is needed.

According to the Statewide Assessment, "targeted" recruitment was recently implemented to ensure that the appropriate types of families are recruited in the locations that are most needed. The Utah Foster Care Foundation (UFCF) recruitment team coordinates with regional Child and Family Services staff to conduct a thorough assessment of the current placement needs of each Child and Family Services Region. Assessments include the number of children in care, ages, cultural backgrounds, ethnicity, permanency goals and sibling status. Regional recruitment goals are developed based upon these needs assessments. Regional recruitment plans strategies are developed and implemented to meet the specific recruitment goals of each geographic area. Plans include specific goals for the number of families needed and where they are needed, as well as the type of care, ethnic background and ability to care for sibling groups. The UFCF recruitment team consistently tracks the most effective recruitment referral sources and further develops these strategies.

Strategies include mass media campaigns through television Public Service Announcements and outdoor billboards as well as local grass roots community outreach including school flyers, partnerships with businesses and churches and local community leaders.

It was noted that there are currently 2,000 children in foster care and 1,100 licensed resource families statewide. In calendar year 2001, UFCF exceeded recruitment goals established by Child and Family Services by 25 percent. The agency is currently at 124 percent of our goals for this year.

In the Statewide Assessment, lack of Spanish speaking staff was noted as a barrier to recruiting foster/adoptive parents. Many bilingual families complete UFCF Spanish pre-service training, but they do not receive the assistance they need to complete the licensing paperwork or communicate with State employees. These families often give up and leave the system.

Stakeholders commenting on this topic at the State level and some at the local level reported that the agency has improved efforts at diligent recruitment of Hispanic and Native American foster families. Stakeholders are in general agreement that the Foster Care Foundation, through the Division, is making diligent efforts to recruit Spanish speaking, Hispanic, and African-American homes. However, several local level stakeholders commented that there are not enough Hispanic or Native American foster homes. Some stakeholders in two of the counties also noted a lack of African 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.**

X  Strength                      \_\_\_ Area Needing Improvement

Item 45 is rated as a Strength because the State has in place a process for the effective use of cross-jurisdictional resources which facilitates timely adoptive or permanent placement for waiting children.

According to the Statewide Assessment, Child and Family Services contracts with the UFCF and the Adoption Exchange to recruit adoptive homes. These agencies have been excellent partners with Child and Family Services, coordinating efforts monthly in a partners meeting which includes the Foster and Adoptive Parent Association, UFCF, Child and Family Services, the Office of Licensing and the Adoption Exchange.

The UFCF does general resource family recruitment, which includes both foster and adoptive families. They target all areas of the State and all population groups. They recently targeted special recruitments to the Hispanic community after a need was identified.

The Adoption Exchange does very specific child recruitment through the listing of children in books, on our electronic exchange and through three adoption-matching events a year. The Adoption Exchange also showcases children weekly on “Wednesday’s Child,” list studied families on their Web site when requested by the family, promotes billboards, posters at numerous sites and does a number of auctions, golf tournaments and other events promoting interest in the adoption of special needs children and available resources. If children are not able to find a family through these means, they can be linked to the other Adoption Exchange sites or the AdoptUSkids Web site.

It is also noted in the Statewide Assessment that the State of Utah is committed to the ICPC process when placing children outside of Utah State boundaries. In working with placements out of the country, ICPC begins the process by contacting and coordinating with Catholic Social Services or International Social Services.

Stakeholders commenting on this issue noted that cross-jurisdictional placements occur. In two counties, stakeholders reported that children are placed out of jurisdiction and/or State. In one of those counties it was noted that placement out of State has worked well in some instances. In Salt Lake County, some stakeholders reported use of the Adoption Exchange and ICPC for adoption placements. Some stakeholders noted, however, that the State does not like to send children out of State and wants children to stay in the community and State.

**XI. DETERMINATION OF SUBSTANTIAL CONFORMITY**

For each outcome and systemic factor listed below, mark “Y” where the State is determined to be in substantial conformity and “N” where the State is determined not to be in substantial conformity. For each outcome or systemic factor marked “N,” place a check beside the performance indicator, listed by item number in this form, that has been determined to be an area needing improvement.

Outcomes

**I. Safety**

  N   **Outcome S1**  
  x   Item 1  
  x   Item 2

  Y   **Outcome S2**  
       Item 3  
       Item 4

**II. Permanency**

  N   **Outcome P1**  
  x   Item 5  
  x   Item 6  
  x   Item 7  
  x   Item 8  
       Item 9  
  x   Item 10

  N   **Outcome P2**  
       Item 11  
       Item 12  
       Item 13  
  x   Item 14  
  x   Item 15  
       Item 16

**III. Child and Family Well-Being**

  N   **Outcome WB1**  
  x   Item 17  
  x   Item 18  
  x   Item 19  
  x   Item 20

  Y   **Outcome WB2**  
       Item 21

  N   **Outcome WB3**  
       Item 22  
       Item 23

Systemic Factors

**IV.   Y   Statewide Information System**  
       Item 24

**V.   N   Case Review System**  
  x   Item 25  
       Item 26  
       Item 27  
  x   Item 28  
       Item 29

**VI.   Y   Quality Assurance System**

       Item 30  
       Item 31

**VII.   Y   Training**

       Item 32  
       Item 33  
       Item 34

**VIII.   Y   Service Array**

       **Item 35**  
       Item 36  
       **Item 37**

**IX.   Y   Agency Responsiveness to the Community**

       Item 38  
       Item 39  
       Item 40

**X.   Y   Foster and Adoptive Parent Licensing, Recruitment, and Retention**

       Item 41  
       Item 42  
       Item 43  
       Item 44  
       Item 45