

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

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

**January 13, 2004**

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

**EXECUTIVE SUMMARY**  
**Final Report: Wisconsin Child and Family Services Review**

This document presents the findings of the Child and Family Services Review (CFSR) for the State of Wisconsin. The CFSR assesses State child welfare agency performance with regard to seven child welfare outcomes in the areas of safety, permanency, and well-being and seven systemic factors pertaining to child welfare agency operations. The Wisconsin CFSR was conducted the week of August 18, 2003. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the State child welfare agency – the Division of Children and Family Services (DCFS) of the Wisconsin Department of Health and Family Services;
- 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 in the State (Milwaukee County, Kenosha County, and Outagamie County - the local child welfare agencies). While four juvenile justice out-of-home care cases were included in the sample of 50 cases to be reviewed, one of these cases was reviewed as a non-juvenile justice case because the child entered out of home care due to neglect.
- 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 state and local child welfare personnel, collaborating agency personnel, Tribal representatives, service providers, court personnel, and attorneys.

A key finding of the Wisconsin CFSR was that the State was in substantial conformity with Well-Being Outcome 2 (Children receive services to meet their educational needs). The CFSR determined that for the most part, local child welfare agencies make concerted efforts to ensure that children’s educational needs are assessed and identified service needs are met.

However, Wisconsin was not in substantial conformity with the remaining six child welfare outcomes assessed through the CFSR. One of the areas of greatest concern with regard to State performance on the outcomes occurred for Permanency Outcome 2 (The continuity of family relationships and connections is preserved for children). This outcome was determined to be substantially achieved in only 44 percent of the cases reviewed. CFSR findings indicate that, although local agencies make concerted efforts to ensure that children in foster care are placed in close proximity to their parents and communities of origin, the agencies are less consistent in its efforts to place siblings together, establish frequent visitation between children in foster care and their parents and siblings, preserve connections for children in foster care, seek relatives as potential placement resources, and promote or maintain a strong, emotionally-supportive relationship between children in foster care and their parents.

Another area of concern was Permanency Outcome 1 (Children have permanency and stability in their living situations). This outcome was determined to be substantially achieved in only 48 percent of the foster care cases reviewed and all indicators for the outcome were

rated as Areas Needing Improvement. CFSR findings for this outcome indicate that local agencies are not consistent in making diligent efforts to prevent foster care re-entries, ensure placement stability for children in foster care, establish appropriate permanency goals in a timely manner, achieve permanency for children (through adoption, reunification, or permanent placement with relatives) in a timely manner; or ensure that older children in long-term foster care receive appropriate services to assist them in making the transition from foster care to independent living. Stakeholders and case reviewers identified the following barriers to achieving timely permanency: (1) a child welfare agency and court practice of maintaining the goal of reunification when the prognosis for achieving that goal is poor, (2) a reluctance on the part of local agencies to seek termination of parental rights (TPR) until an adoptive resource is found for the child, and (3) delays in the TPR process due to parents' requests for a jury trial and other factors.

Another area of concern identified through the CFSR pertains to the State's performance on Well-Being Outcome 1 (Families have enhanced capacity to provide for their children's needs). Only 54 percent of the applicable cases reviewed were determined to have substantially achieved this outcome. Although the CFSR findings indicate that local agencies make concerted efforts to establish frequent contact between caseworkers and the children in their caseloads, agencies are less consistent in their efforts to assess needs and provide services to families, involve parents and children in the case planning process, and ensure that caseworkers establish sufficient contact with the parents in their caseloads.

The State's performance with respect to Well-Being Outcome 3 (Children receive adequate services to meet their physical and mental health needs) also was an identified concern, with only 68.8 percent of applicable cases rated as having substantially achieved this outcome. A key concern identified was that children are not receiving mental health assessments even when the nature of the maltreatment, the dynamics of the family, and/or the family's and child's history indicate that a mental health assessment is warranted.

With regard to the systemic factors, the CFSR determined that the State was in substantial conformity with the factors of Statewide Information System; Agency Responsiveness to the Community; and Foster and Adoptive Parent Licensing, Recruitment, and Retention. The State did not achieve substantial conformity with the systemic factors of Case Review System, Quality Assurance System, Training, and Service Array. A key concern identified was that the State has not made sufficient efforts to ensure that all of the federally recognized Tribes in the State have input into the development of DCFS programs and policies. It also was noted that caseworkers are not adhering to the requirements of the Indian Child Welfare Act on a consistent basis.

The overall findings with regard to the State's performance on the safety and permanency outcomes are presented in table 1 at the end of the Executive Summary. Findings regarding well-being outcomes are presented in table 2. Table 3 presents the State's performance relative to the national standards and table 4 provides information pertaining to the State's substantial conformity with the seven systemic factors assessed through the CFSR. A summary of the major findings is presented below.

## **I. KEY FINDINGS RELATED TO OUTCOMES**

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

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

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

- The outcome was rated as substantially achieved in 79.1 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 standards for (1) the percentage of children experiencing more than one substantiated or indicated child maltreatment report within a 6-month period, or (2) the percentage of children maltreated by foster parents or facility staff.

A key finding of the CFSR case reviews was that local agencies are not consistent in responding to maltreatment reports and establishing face-to-face contact in accordance with the required timeframes established by agency policy. The case reviews found that delays in responding occurred to reports classified as “urgent” as well as to those classified as “moderate to low risk.”

Another case review finding was that although the State’s data for maltreatment recurrence within 6 months (presented in the State Data Profile) does not meet the national standard of 6.1 percent or less, 95 percent of the cases reviewed were rated as a Strength for that indicator based on the assessment criteria established for the CFSR case review for that item (item 2). However, in 25 percent of the 8 cases reviewed in which there was at least one substantiated maltreatment report during the period under review, there was another substantiated report within 6 months that involved the same perpetrator and similar circumstances. In addition, stakeholders and case reviewers reported that maltreatment allegations received on open cases are not routinely reported for a formal investigation. Consequently, the actual rate of maltreatment recurrence within 6 months may be higher than the rate reported in the State Data Profile.

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

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

A key finding of the CFSR case reviews was that local agencies are not consistently effective in their efforts to maintain children safely in their homes. The primary concern identified in the case reviews was that the services offered were not sufficient to ensure children's safety while they remained in the home and, in some cases, children were not being removed when risk of harm was present. Case reviews determined that agencies were more effective in addressing risk of harm issues by removing children from their homes when appropriate and placing them in foster care.

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

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

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

- The outcome was determined to be substantially achieved in 48.0 percent of the cases, which is less than the 90 percent required for substantial conformity.
- The State Data Profile indicates that for fiscal year (FY) 2001, the State did not meet the national standard for (1) the percentage of children who re-entered foster care within 12 months of a prior foster care episode, (2) the percentage of children who were reunified within 12 months of entry into foster care; and (3) the percentage of children discharged from foster care to a finalized adoption who were discharged within 24 months of entry into foster care.

However, the State Data Profile indicates that for FY 2001, the State did meet the national standard for the percentage of children in foster care for 12 months or less who experienced no more than 2 placement settings.

Although performance with regard to this outcome was low in all CFSR sites, there was variation across sites. The outcome was rated as substantially achieved in 67 percent of Outagamie County foster care cases, compared to 46 percent of Milwaukee County foster care cases, and 40 percent of Kenosha County foster care cases.

The results of the case reviews and the data provided in the State Data Profile suggest that Wisconsin is not consistently effective with regard to (1) establishing appropriate permanency goals in a timely manner, (2) reunifying children in a timely manner, and (3)

achieving finalized adoptions in a timely manner. In addition, there were eight cases in which the child had been in foster care for 15 of the most recent 22 months, but the agency had not filed for TPR and a reason for “not filing” was not provided in the case file.

Stakeholders and case reviewers identified the following barriers to achieving timely permanency: (1) a child welfare agency and court practice of maintaining the goal of reunification when the prognosis for achieving that goal is poor, (2) a reluctance on the part of local agencies to seek termination of parental rights (TPR) until an adoptive resource is found for the child, and (3) delays in the TPR process due to parents’ requests for a jury trial and other factors.

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

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

Wisconsin 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 44.0 percent of the cases, which is less than the 90 percent required for substantial conformity.

Although performance with respect to achieving Permanency Outcome 2 was low in all CFSR sites, there was variation across sites. The outcome was determined to be substantially achieved in 67 percent of Outagamie County cases, compared to 50 percent of Kenosha County cases and only 31 percent of Milwaukee County cases.

CFSR case review findings indicate that although local agencies make concerted efforts to place children in close proximity to their parents or close relatives, the agencies are less consistent in their efforts to place siblings together, ensure frequent visitation between children and parents and siblings in foster care, maintain children’s connections, seek relatives as placement resources, and promote the bond between parents and children while the children are in foster care.

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

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

Wisconsin 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 in 54.0 percent of the cases reviewed, which is less than the 90 percent required for substantial conformity.

Performance with regard to achieving Well-being Outcome 1 varied across CFSR sites, although none of the sites performed at a high level. The outcome was determined to be substantially achieved in 75 percent of Kenosha County cases, compared to 50 percent of Outagamie County cases and 46 percent of Milwaukee County cases.

CFSR case review findings indicate that local agencies are not consistent with regard to their efforts to (1) assess needs and provide services to children, parents, and foster parents; (2) involve children and parents in case planning; or (3) establish face-to-face contact with parents that is of sufficient frequency and quality to ensure children’s safety and/or promote attainment of case goals. However, in 88 percent of the cases, reviewers determined that the frequency and quality of agency staff contacts with children was sufficient to monitor their safety and promote their well-being.

A key concern identified was that, even when fathers are involved in their children’s lives, local agencies do not make concerted efforts to engage fathers in case planning, assess fathers’ service needs, provide services to fathers, or establish frequent contact with fathers.

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

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

Wisconsin achieved substantial conformity with Well-Being Outcome 2 based on the finding that in 90.9 percent of the cases, reviewers determined that this outcome was substantially achieved. This exceeds the 90 percent required for substantial conformity.

A key CFSR finding was that local agencies make concerted efforts to assess children's educational needs and provide appropriate services to meet those needs. However, State-level and Milwaukee County stakeholders expressed concern about the number of school changes experienced by children in foster care.

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

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

Wisconsin 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 68.8 percent of the applicable cases, which is less than the 90 percent required for substantial conformity.

Performance on this outcome varied across CFSR sites. The outcome was determined to be substantially achieved in 100 percent of Kenosha County cases, compared to 60 percent of Milwaukee County cases and 58 percent of Outagamie County cases.

The CFSR case reviews and stakeholder interviews indicate that in Milwaukee County and Outagamie County, the agencies are not consistent in addressing children's mental health or physical health service needs. A key concern identified was that children are not receiving mental health assessments even when the nature of the maltreatment, the dynamics of the family, and the family's and child's history indicate that a mental health assessment is warranted.

## **II. KEY FINDINGS RELATED TO SYSTEMIC FACTORS**

### **Statewide Information System**

Substantial conformity with the systemic factor of Statewide Information System is determined by whether the State is operating a Statewide information system that can identify the status, demographic characteristics, location, and goals for children in foster care (item 24).

Wisconsin was determined to be in substantial conformity with the systemic factor of Statewide Information System. The CFSR found that both the State's new SACWIS system (WiSACWIS) and the legacy system (HSRS) can identify the status, demographic characteristics, location, and the permanency goals for all children in foster care.

### **Case Review System**

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

Wisconsin is not in substantial conformity with the systemic factor of Case Review System. The CFSR determined that local agencies do not routinely involve both parents in the case planning process and the development of the case plan. The findings indicate that although mothers are almost always involved, fathers are almost always excluded even when their whereabouts are known. The CFSR also determined that the TPR process is not being consistently implemented in accordance with the provisions of ASFA, and that there are court- and agency-related delays with regard to both filing for TPR and attaining TPR. In addition, CFSR findings indicate that the process for notifying foster parents, preadoptive parents, and relative caregivers about reviews and hearings is not being implemented in a consistent manner throughout the State. Stakeholders suggested that the opportunity to be heard varies across court rooms and also depends on how comfortable foster parents are with the process, particularly with court hearings. A key concern noted by stakeholders was the lack of timely notification of the Tribes regarding reviews and hearings.

Despite these concerns, the CFSR found that required 6-month case reviews and 12-month permanency hearings are being held in a timely manner, although stakeholders noted that these reviews may be delayed in a few counties in the State. The stakeholders noted that when delays occurred, they were usually the result of court scheduling problems.

### **Quality Assurance System**

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

Wisconsin is not in substantial conformity with the systemic factor of Quality Assurance System. The CFSR found that, although the State has developed and implemented both initial investigative standards and on-going guidelines to ensure the safety of children in foster care, DCFS does not have a quality assurance system that has the capacity to evaluate the quality of services, provide relevant reports, or evaluate the implementation of program improvement measures.

## **Training**

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

Wisconsin is not in substantial conformity with the systemic factor of Training. Information obtained during the CFSR indicates that the collaborative approach to training between the State, counties, training partnerships, tribes, and universities does not ensure that newly hired caseworkers in all county child welfare offices receive the initial training necessary to provide services that support the goals and objectives of the Child and Family Services Plan (CFSP). In addition, the CFSR found that many newly hired caseworkers are assigned caseloads before completion of a core or foundation training program, and that DCFS does not have statewide requirements for staff to participate in ongoing training. Finally, stakeholders reported that although DCFS has developed a training curriculum for foster parents and makes this curriculum available to the counties, neither pre-placement nor ongoing training for foster parents is State-mandated. Consequently, there are some counties in which foster parents receive minimal training prior to having a child placed in their homes.

## **Service Array**

The assessment of the systemic factor of Service Array addresses three questions: (1) Does the State have in place an array of services to meet the needs of children and families served by the child welfare agency (item 35)? (2) Are these services accessible to families and children throughout the State (item 36)? (3) Can services be individualized to meet the unique needs of the children and family served by the child welfare agency (item 37)?

Wisconsin is not in substantial conformity with the systemic factor of Service Array. The CFSR determined that the State does not have in place an array of services to address the needs of children and families to enable children to remain safely with their parents when reasonable, and to help children in foster and adoptive placements achieve permanency. The CFSR also found that services are not accessible to families and children in all political jurisdictions. A key concern identified by stakeholders is that the State does not provide the counties with the level of funds necessary to provide an adequate array of child welfare services. Stakeholders reported

that counties that have access to local funds are better able to provide these services, but those that do not have access to sufficient local funds cannot provide the needed array of services.

Despite these concerns, the CFSR determined that Wisconsin has a network of services providers who work in collaboration with the local agencies and the BMCW to individualize services to meet children's and families' unique needs.

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

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

Wisconsin is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. The CFSR determined that DCFS develops annual reports of progress and services in conjunction with representatives of their Executive Steering Committee (ESC), and that Wisconsin's services under the CFSP are coordinated with services of other Federal or federally assisted programs that serve the child welfare population. However, CFSR findings also indicate that there is a need for a clearly delineated and structured consultation process that allows for Tribal and other stakeholders to provide input into the goals and objectives of the CFSP.

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

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

Wisconsin is in substantial conformity with the systemic factor pertaining to Foster and Adoptive Parent Licensing, Recruitment and Retention. The CFSR determined that Wisconsin has standards for foster family homes and child care institutions that are in accord with recommended national standards and that are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds. In addition, CFSR findings indicate that Wisconsin generally enforces the provisions of criminal

background checks to ensure that clearances relating to licensing or approving foster care and adoptive placements address the safety of foster care and adoptive placements for children.

Information from the CFSR also indicates that the State has established 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. However, stakeholders reported that further efforts are needed to develop a process for the effective use of cross-jurisdictional resources to facilitate timely adoptions and permanent placements for waiting children.

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

Outcomes and Indicators	Outcome Ratings			Item Ratings		
	<i>In Substantial Conformity?</i>	<i>Percent Substantially Achieved*</i>	<i>Met National Standards?</i>	<i>Rating**</i>	<i>Percent Strength</i>	<i>Met National Standards</i>
Safety Outcome 1-Children are first and foremost, protected from abuse and neglect	No	79.1	No			
Item 1: Timeliness of investigations				ANI	61	
Item 2: Repeat maltreatment				ANI	95	No
Safety Outcome 2 - Children are safely maintained in their homes when possible and appropriate	No	83.3				
Item 3: Services to prevent removal				ANI	84	
Item 4: Risk of harm				Strength	86	
Permanency Outcome 1- Children have permanency and stability in their living situations	No	48.0	Met 1, did not meet 3			
Item 5: Foster care re-entry				ANI	100	No
Item 6: Stability of foster care placements				ANI	76	Yes
Item 7: Permanency goal for child				ANI	60	
Item 8: Reunification, guardianship and placement with relatives				ANI	46	No
Item 9: Adoption				ANI	50	No
Item 10: Other planned living arrangement				ANI	83	
Permanency Outcome 2 - The continuity of family relationships and connections is preserved	No	44.0				
Item 11: Proximity of placement				Strength	100	
Item 12: Placement with siblings				ANI	50	
Item 13: Visiting with parents and siblings in foster care				ANI	54	
Item 14: Preserving connections				ANI	62.5	
Item 15: Relative placement				ANI	65	
Item 16: Relationship of child in care with parents				ANI	62.5	

\*90 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for the State to be in substantial conformity with the outcome.

\*\*Items may be rated as a Strength or an Area Needing Improvement (ANI).

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

Outcomes and Indicators	Outcome Ratings		Item Ratings			
	<i>In Substantial Conformity?</i>	<i>Percent Substantially Achieved*</i>	<i>Met National Standards</i>	<i>Rating**</i>	<i>Percent Strength</i>	<i>Met National Standards</i>
Well Being Outcome 1 - Families have enhanced capacity to provide for children's needs	No	54.0				
Item 17: Needs/services of child, parents, and foster parents				ANI	58	
Item 18: Child/family involvement in case planning				ANI	62	
Item 19: Worker visits with child				Strength	88	
Item 20: Worker visits with parents				ANI	77	
Well Being Outcome 2 - Children receive services to meet their educational needs	Yes	90.9				
Item 21: Educational needs of child				Strength	91	
Well Being Outcome 3 - Children receive services to meet their physical and mental health needs are met	No	68.8				
Item 22: Physical health of child				ANI	83	
Item 23: Mental health of child				ANI	69	

\*90 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for the State to be in substantial conformity with the outcome.

\*\*Items may be rated as a Strength or an Area Needing Improvement (ANI).

**Table 3: Wisconsin's Performance on the Six Outcome Measures for Which National Standards have been Established**

<b>Outcome Measure</b>	<b>National Standard</b>	<b>Wisconsin Data FY 2001</b>
Of all children who were victims of a substantiated or indicated maltreatment report in the first 6 months of CY 2001, what percent were victims of another substantiated or indicated report within a 6-month period?	6.1% or less	6.9%
Of all children who were in foster care in the first 9 months of CY 2001, what percent experienced maltreatment from foster parents or facility staff members?	0.57% or less	0.61%
Of all children who entered foster care in FY 2001, what percent were re-entering care within 12 months of a prior foster care episode?	8.6% or less	25.5%
Of all children reunified from foster care in FY 2001, what percent were reunified within 12 months of entry into foster care?	76.2% or more	71.0%
Of all children who were adopted from foster care in FY 2001, what percent were adopted within 24 months of their entry into foster care?	32.0% or more	21.2%
Of all children in foster care during FY 2001 for less than 12 months, what percent experienced no more than 2 placement settings?	86.7% or more	93.8%

**Table 4: Wisconsin CFSR Ratings for the Seven Systemic Factors**

<b>Systemic Factors</b>	<b>In Substantial Conformity?*</b>	<b>Rating**</b>
<b>IV. Statewide Information System</b>	Yes (3)	
Item 24: System can identify the status, demographic characteristics, location and goals of children in foster care		Strength
<b>V. Case Review System</b>	No (2)	
Item 25: Process for developing a case plan and for joint case planning with parents		ANI
Item 26: Process for 6-month case reviews		Strength
Item 27: Process for 12-month permanency hearings		Strength
Item 28: Process for seeking TPR in accordance with ASFA		ANI
Item 29: Process for notifying caregivers of reviews and hearings and for opportunity for them to be heard		ANI
<b>VI. Quality Assurance System</b>	No (2)	
Item 30: Standards to ensure quality services and ensure children’s safety and health		Strength
Item 31: Identifiable QA system that evaluates the quality of services and improvements		ANI
<b>VII. Training</b>	No (2)	
Item 32: Provision of initial staff training		ANI
Item 33: Provision of ongoing staff training that addresses the necessary skills and knowledge.		ANI
Item 34: Provision of training for caregivers and adoptive parents that addresses the necessary skills and knowledge		ANI
<b>VIII. Service Array</b>	No (2)	
Item 35: Availability of array of critical services		ANI
Item 36: Accessibility of services across all jurisdictions		ANI
Item 37: Ability to individualize services to meet unique needs		Strength
<b>IX. Agency Responsiveness to the Community</b>	Yes (3)	
Item 38: Engages in ongoing consultation with critical stakeholders in developing the CFSP		ANI
Item 39: Develops annual progress reports in consultation with stakeholders		Strength
Item 40: Coordinates services with other Federal programs		Strength
<b>X. Foster and Adoptive Parent Licensing, Recruitment and Retention</b>	Yes (3)	
Item 41: Standards for foster family and child care institutions		Strength
Item 42: Standards are applied equally to all foster family and child care institutions		Strength
Item 43: Conducts necessary criminal background checks		Strength
Item 44: Diligent recruitment of foster and adoptive families that reflect children’s racial and ethnic diversity		Strength
Item 45: Uses cross-jurisdictional resources to find placements		ANI

\*Systemic factors are rated on a scale from 1 to 4. A rating of 1 or 2 indicates “Not in Substantial Conformity.” A rating of 3 or 4 indicates Substantial Conformity.

\*\*Items may be rated as a Strength or an Area Needing Improvement (ANI).

# FINAL REPORT: WISCONSIN CHILD AND FAMILY SERVICES REVIEW

## INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the State of Wisconsin. The CFSR was conducted the week of August 18, 2003. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the State child welfare agency – the Division of Children and Family Services (DCFS) of the Wisconsin Department of Health and Family Services.
- 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 in the State (Milwaukee County, Kenosha County, and Outagamie County – the local child welfare agencies); 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 state and local child welfare personnel, collaborating agency personnel, Tribal representatives, service providers, court personnel, and attorneys.

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

- Twenty-six cases were reviewed in Milwaukee County, 12 in Kenosha County, and 12 in Outagamie County.
- All 50 cases had been open cases at some time during the period under review.
- Twenty-five cases were “foster care cases” (cases in which children were in the care and custody of the State child welfare DCFS and in an out-of-home placement at some time during the period under review), and 25 were “in-home services cases” (cases in which families received services from the child welfare DCFS while children remained with their families and no child in the family was in out-of-home care during the period under review).
- In the 25 foster care cases, 10 children (40%) were younger than age 10 at the start of the period under review; 6 children (12%) were at least 10 years old, but not yet 13 years old; and 9 children (18%) were 13 years of age and older at the start of the period under review.
- There were 3 foster care cases in which the child entered foster care due to juvenile justice issues. Child welfare agencies have responsibility for juvenile justice cases once they enter the foster care system.
- All of the children in the family were African American (non-Hispanic) in 20 cases (40%), White (non-Hispanic) in 20 cases (40%), Native American in 3 cases (6%), Hispanic in 2 cases (4%), and of 2 or more races in 5 cases (10%).
- Of the 50 cases reviewed, the **primary** reason for the opening of a child welfare DCFS case was the following:
  - Physical abuse – 13 cases (26%)

- Neglect (not including medical neglect) – 12 cases (24%)
- Substance abuse of parents – 7 cases (14%)
- Medical neglect – 5 cases (10%)
- Child in juvenile justice system – 3 cases (6%)
- Sexual abuse – 3 cases (6%)
- Mental/physical health of child – 3 cases (6%)
- Abandonment – 2 cases (4%)
- Child’s behavior – 1 case (2%)
- Mental/physical health of parent – 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 DCFS were the following:
  - Neglect (not including medical neglect) – 29 cases (58% of all cases)
  - Physical abuse – 25 cases (50% of all cases)
  - Substance abuse by parents – 18 cases (36% of all cases)
- In 15 (60%) of the 25 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 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 sites taken together, with differences among sites 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 DCFS’s ability to achieve positive outcomes for children.

Child welfare services in Wisconsin are state supervised and county administered. Wisconsin is unique in that one site—Milwaukee County—is under state administration with services delivered by the Bureau of Milwaukee Child Welfare (BMCW). Child welfare services in the other sites included in the onsite CFSR are administered by county human service departments. DCFS is the state agency responsible for supervision of child welfare services provided at the county level.

## 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>Kenosha County</b>	<b>Milwaukee County</b>	<b>Outagamie County</b>	<b>Total</b>	<b>Total Percentage</b>
Substantially Achieved:	7	20	7	34	79.1
Partially Achieved:	2	3	1	6	13.9
Not Achieved or Addressed:	0	2	1	3	7.0
Not Applicable:	3	1	3	7	
<b>Conformity of Statewide data indicators with national standards:</b>					
	<b>National Standard (percentage)</b>	<b>State's Percentage</b>	<b>Meets Standard</b>	<b>Does Not Meet Standard</b>	
Repeat maltreatment	6.1 or less	6.9		X	
Maltreatment of children in foster care	0.57 or less	0.61		X	

#### STATUS OF SAFETY OUTCOME 1

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

- The outcome was determined to be substantially achieved in 79.1 percent of the cases reviewed, which is less than the 90 percent required for substantial conformity.
- The State did not meet the national standards for (1) the percentage of children experiencing more than one substantiated or indicated child maltreatment report within a 6-month period, or (2) the percentage of children maltreated by foster parents or facility staff.

A key finding of the CFSR case reviews was that local child welfare agencies are not consistent in responding to maltreatment reports and establishing face-to-face contact in accordance with the required timeframes established by agency policy. Delays in responding occurred to maltreatment reports classified as “urgent” as well as to maltreatment reports classified as “moderate to low risk.”

Another case review finding was that, although the State’s rate of maltreatment recurrence within 6 months (presented in the State Data Profile) does not meet the national standard of 6.1 percent or less, 95 percent of the cases reviewed were rated as a Strength for the indicator of maltreatment recurrences based on the assessment criteria established for CFSR case reviews. However, in 25 percent of the 8 cases reviewed in which there was at least one substantiated maltreatment report during the period under review, there was another substantiated report within 6 months that involved the same perpetrator and similar circumstances. In addition, stakeholders and case reviewers reported that maltreatment allegations received on open cases are not routinely reported for a formal investigation. Consequently, the actual rate of maltreatment recurrence within 6 months may be higher than the rate reported in the State Data Profile.

### **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 23 of the 50 cases. Twenty-seven 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 DCFS requirements. In Wisconsin, when cases are classified as “urgent,” caseworkers must establish face-to-face contact with the child “immediately” (generally defined as within 24 hours). For all other cases, the caseworker must establish face-to-face contact with a member of the immediate family no later than 5 working days after the initial receipt of the report by DCFS.

The results of the case review assessments were the following:

- Item 1 was rated as a Strength in 14 (61%) of the 23 applicable cases (4 of the 14 cases were foster care cases).
- Item 1 was rated as an Area Needing Improvement in 9 (39%) of the 23 applicable cases (3 of the 9 cases were foster care cases).

Ratings for this item differed across the CFSR sites. The item was rated as a Strength in 69 percent of applicable Milwaukee County cases, compared to 50 percent of applicable Kenosha County cases and 33 percent of applicable Outagamie County cases.

Item 1 was rated as a Strength when a response to a maltreatment report was initiated within the timeframes established by the State. The item was rated as an Area Needing Improvement because face-to-face contact with the child or children who were the subject of the report was not established within required timeframes. Two cases rated as an Area Needing Improvement involved reports classified as “urgent” (requiring a response within 24 hours). In one of these cases, the caseworker did not initiate a response for 2 days. In the other case, there were two maltreatment reports classified as “urgent” during the period under review. For one report, the

caseworker did not established face-to-face contact for 7 days; for the other report, contact was not established for 12 days. The 7 other cases for which this item was rated as an Area Needing Improvement involved lower priority maltreatment reports requiring a response within 2 to 5 days. For these cases, the response was delayed from 12 to 20 days after receipt of the report, and in 1 case, face-to-face contact was never established.

Although most stakeholders commenting on this issue expressed the opinion that DCFS responds to child maltreatment reports in a timely manner, a few indicated that caseworkers sometimes experience difficulties meeting response times. Stakeholders also reported that law enforcement and DCFS generally conduct joint investigations of reports of sexual abuse and serious physical abuse.

***Determination and Discussion:*** Item 1 was assigned an overall rating of Area Needing Improvement based on the finding that in 39 percent of the applicable cases, local agencies had not initiated a response to a maltreatment report in accordance with the timeframes required by DCFS policy.

According to the Statewide Assessment, a significant difference between Wisconsin and most other States is that in Wisconsin, child welfare agencies investigate reports of maltreatment by non-caregivers and investigates as “maltreatment” reports of mutual sexual activity between adolescents. Non-caregivers include strangers, neighbors, family friends, peers, or other non-caregivers. Mutual sexual activity is defined as consensual sexual activity between peers in which one child is 15 years of age or younger.

## **Item 2. Repeat maltreatment**

Strength                       Area Needing Improvement

***Review Findings:*** The assessment of item 2 was applicable for 39 of the 50 cases. Eleven cases were not applicable because there was never a substantiated or indicated child maltreatment report on any children in the family. In Wisconsin, cases may be opened by local agencies for voluntary services or safety services if the initial safety assessment indicates a potential risk of harm to the children, even if the maltreatment report is not substantiated. 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 37 (95%) of the 39 applicable cases (21 of the 37 cases were foster care cases)
- Item 2 was rated as an Area Needing Improvement in 2 (5%) of the 39 applicable cases (neither of the two cases were foster care cases).

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

- There was a substantiated or indicated maltreatment report involving the family prior to the period under review, but no substantiated or indicated report during the period under review (31 cases).
- There was a substantiated or indicated maltreatment report involving the family during the period under review, but there was no substantiated or indicated report within 6 months of that report (6 cases).

The item was rated as an Area Needing Improvement in two of the eight cases in which there was at least one substantiated report during the period under review. In these 2 cases, the substantiated report occurred within 6 months of a previous report and involved the same circumstances and perpetrator.

Additional findings with respect to the frequency of maltreatment reports on the family prior to and during the period under review for all 50 cases were the following:

- In 1 case, there was never a maltreatment report involving the family.
- In 9 cases, there was 1 maltreatment report over the life of the case.
- In 24 cases, there were between 2 and 5 maltreatment reports over the life of the case.
- In 9 cases, there were between 6 and 10 maltreatment reports over the life of the case.
- In 7 cases, there were 12 or more maltreatment reports over the life of the case (in 3 of these cases, there were 20 or more reports).

It is not known how many of these reports were substantiated.

Many stakeholders commenting on the issue of maltreatment recurrence expressed the opinion that substantiated recurrence is not a significant problem. However, several stakeholders noted that maltreatment recurrence usually occurs in cases in which the risk is not sufficiently high to bring a case to court, and consequently family engagement in services is voluntary. When families refuse services, the case is closed, and there is a risk for repeat maltreatment.

Several stakeholders also reported that maltreatment reports on open cases are not routinely investigated as new cases. This was confirmed by information in some of the cases reviewed. Reviewers noted that there was information in the case file about maltreatment allegations on the family while the case was open, but there was no indication in the case file that an investigation of the allegations had been conducted.

Several stakeholders voiced concern about local agencies' practice of screening out cases prior to investigation based on information from a specific incident rather than using information about the family's history in making a determination about the potential risk to

the child. Stakeholders also expressed concern that the criteria for substantiation are not consistent across the State and in some areas, the criteria are not adequate to ensure children’s safety.

**Determination and Discussion:** Item 2 was assigned an overall rating of Area Needing Improvement. Although case reviewers rated the item as a Strength in 95 percent of the cases (in accordance with the assessment criteria for item 2), the State's rate of maltreatment recurrence for 2001 (6.9%), as reported in the State Data Profile, does not meet the national standard of 6.1 percent or less. The criteria and standards for both measures must be met for the item to be rated as a Strength.

According to the Statewide Assessment, one factor in understanding Wisconsin’s maltreatment recurrence rate is the State’s practice of conducting CPS investigations for allegations involving non-caregivers and allegations related to peer mutual sexual activity.

**Safety Outcome 2**

<b>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>Kenosha County</b>	<b>Milwaukee County</b>	<b>Outagamie County</b>	<b>Total</b>	<b>Total Percentage</b>
Substantially Achieved:	11	22	7	40	83.3
Partially Achieved:	0	1	2	3	6.3
Not Achieved or Addressed:	0	3	2	5	10.4
Not Applicable:	1	0	1		

**STATUS OF SAFETY OUTCOME 2**

Wisconsin did not achieve substantial conformity with Safety Outcome 2. This determination was based on the finding that the outcome was determined to be substantially achieved in 83.3 percent of the cases reviewed, which does not meet the 90 percent required for substantial conformity. Ratings for this outcome varied across CFSR sites. The outcome was determined to be substantially achieved in 100 percent of Kenosha County cases, compared to 80 percent of Milwaukee County cases and 64 percent of Outagamie County cases.

A key finding of the CFSR case reviews was that local agencies are not consistently effective in its efforts to maintain children safely in their homes. The primary concern identified was that the services offered were not sufficient to ensure children’s safety. In addition, although findings from the case reviews indicate that agencies are consistent in addressing risk of harm issues by removing

children and placing them in foster care, stakeholders reported that agencies do not always remove children when there are clear risks of harm in the home that are not being addressed.

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 37 cases for which an assessment of item 3 was applicable. Thirteen cases were excluded from this assessment because the children entered foster care prior to the period under review and there were no substantiated or indicated maltreatment reports or identified risks 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, DCFS made diligent efforts to provide services to families to prevent removal of children from their homes while at the same time ensuring their safety. The results of the assessment were the following:

- Item 3 was rated as a Strength in 31 (84%) of the 37 applicable cases (10 of the 31 cases were foster care cases).
- Item 3 was rated as an Area Needing Improvement in 6 (16%) of the 37 applicable cases (2 of the 6 cases were foster care cases).

Ratings for item 3 varied across CFSR sites. The item was rated as a Strength in 100 percent of applicable Kenosha County cases, compared to 80 percent of applicable Milwaukee County cases and 75 percent of applicable Outagamie County cases.

Item 3 was rated as a Strength when reviewers determined the following:

- Appropriate services were provided to the parents and child to prevent the child's placement in foster care (24 cases).
- The children were appropriately removed from the home and placed in foster care to ensure their safety (3 cases).
- The family received appropriate post-reunification services to prevent re-entry into foster care (3 cases).
- Children remaining in the home (after one child was placed in foster care) were appropriately assessed for service needs (1 case).

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

- The services offered were not adequate to address risk for all children in the family (4 cases).
- No effort was made to provide services to prevent the child's placement in foster care or re-entry into foster care after reunification (2 cases).

Services provided to the families included, but were not limited to, intensive home family preservation service, in-home therapy, group therapy, counseling, psychiatric evaluations and treatment, medication management services, inpatient mental health services, day treatment mental health program, respite, parenting education, family education, educational assessments and advocacy for children, assistance with day care services, housing assistance, transportation, in-home Early Head Start, substance abuse assessment and treatment services, case management, home health nurse services, occupational/physical therapy, employment services, health services, domestic violence counseling, legal assistance, basic home management, supervised visitation, anger management, and family shelter care.

Most stakeholders commenting on this item expressed the opinion that local agencies make concerted efforts to provide services to prevent children's removal from home and placement in foster care, and that when children are removed, it is an appropriate action. Kenosha County stakeholders noted that in cases in which services are not court-ordered, the Prevention Services Network (PSN), under contract with the county, provides case management and other needed services to prevent placement. Other stakeholders reported that there is an extensive array of services available to prevent placement. Stakeholders indicated, however, that the greatest challenge is providing services that are sufficient to ensure a child's safety when parents have mental health problems or are "low functioning." A few stakeholders suggested that their local agency sometimes "tries too hard" to prevent removal and allows children to remain in high-risk situations.

***Determination and Discussion:*** Item 3 was assigned an overall rating of Area Needing Improvement because in 16 percent of the cases, reviewers determined that local agencies had not made diligent efforts to provide the necessary services to maintain children safely in their own homes.

According to data provided in the Statewide Assessment for calendar years 2000 and 2001, when child safety concerns necessitated in-home services, the most frequently used in-home services were supervision and observation, family crisis counseling, parenting assistance, and mental health services. The Statewide Assessment notes that local child welfare agencies, including the Bureau of Milwaukee Child Welfare (BMCW), are making increasing use of creative service delivery approaches to promote timely and appropriate in-home services designed to ensure child safety. These efforts include use of time-limited, behavioral change-oriented services for family preservation; integrated service teams or wrap-around services to prevent removal and promote timely reunification; and use of family-group decision-making approaches to develop effective safety plans. The Statewide Assessment reports that, "as a result of implementing an in-home Safety Services program," the BMCW has significantly reduced the use of out-of-home placements to address child safety concerns.

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

  X   Strength                             Area Needing Improvement

**Review Findings:** An assessment of item 4 was applicable for 49 cases. One case was not applicable for assessment because it was opened due to the child’s behavior and the child was not at risk of harm from guardians or parents. In assessing item 4, reviewers were to determine whether local agencies 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 42 (86%) of the 49 applicable cases (21 of the 42 cases were foster care cases).
  - Item 4 was rated as an Area Needing Improvement in 7 (14%) of the 49 applicable cases (3 of the 7 cases were foster care cases).
- Ratings for item 4 varied across CFSR sites. The item was rated as a Strength in 100 percent of Kenosha County cases and 88 percent of Milwaukee County cases, compared to 64 percent of Outagamie County cases.

Item 4 was rated as a Strength when reviewers determined the following:

- 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 or foster home (24 cases).
- 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 family (15 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) (3 cases).

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

- The services offered by local agencies were insufficient to reduce the risk of harm to the child (6 cases).
- The safety assessment was not sufficient to identify underlying problems that contributed to the risk of harm (1 case).

Most stakeholders commenting on this item expressed the opinion that local agencies are effective in addressing risk of harm through services and frequent contacts with children. However, some Outagamie County and Milwaukee County stakeholders voiced concern that their agencies are too focused on keeping children in the home, even when children continue to be at risk of harm.

Several stakeholders also expressed concern that risk of harm to children is not appropriately addressed when local agencies places children with a relative without conducting background checks or assessments. They noted that although this type of relative placement often occurs during an investigation and that these checks and assessments are done once the family is referred to a kinship care program, there is a perception among some stakeholders that there are no guidelines or required timeframes governing the

initiation of the checks and assessment by the kinship care caseworker. Consequently, children may be in placements where there is risk of harm for some time before the local agency conducts an assessment.

Most stakeholders were in agreement that there is no clear process for handling maltreatment reports that are received on open cases. They noted that usually the caseworker determines the response to the maltreatment report, which results in inconsistencies in how these reports are handled and raises questions about whether risk is being mitigated. Stakeholders expressed concern that when caseworkers do not make formal reports and conduct formal investigations of maltreatment allegations, there is no information about the incident to assess whether risk is being adequately addressed. In two of the cases reviewed, reviewers noted that there was evidence of a maltreatment allegation that had not been formally reported.

***Determination and Discussion:*** This item was assigned an overall rating of Strength because in 85 percent of the applicable cases, reviewers determined that DCFS was effective in addressing the risk of harm to the children.

According to the Statewide Assessment, the child protective services (CPS) case process involves the following practices and procedures related to addressing risk of harm to children:

- Receiving and screening reports of alleged maltreatment and threatened maltreatment.
- Assessing risk of maltreatment and threats to safety in all screened-in reports, including conditions and behaviors that mitigate risk and safety.
- Determining if maltreatment has occurred or is likely to occur.
- Developing and implementing protective and safety plans, if a child is determined to be unsafe.
- Engaging families in an assessment and change process to reduce risk and establish a safe environment.
- Supporting and managing the change process and evaluating progress toward achievement of measurable objectives.
- Using the court process to assure safety and promote the change 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>Kenosha County</b>	<b>Milwaukee County</b>	<b>Outagamie County</b>	<b>Total</b>	<b>Total Percentage</b>
Substantially Achieved:	2	6	4	12	48.0
Partially Achieved:	3	5	1	9	36.0
Not Achieved or Addressed:	1	2	1	4	16.0
Not Applicable:	6	13	6		
<b>Conformity of Statewide data indicators with national standards:</b>					
	<b>National Standard (percentage)</b>	<b>State's Percentage</b>	<b>Meets Standard</b>	<b>Does Not Meet Standard</b>	
Foster care re-entries	8.6	25.5		X	
Length of time to achieve reunification	76.2	71.0		X	
Length of time to achieve adoption	32.0	21.2		X	
Stability of foster care placements	86.7	93.8	X		

### STATUS OF PERMANENCY OUTCOME 1

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

- The outcome was determined to be substantially achieved in 48.0 percent of the cases, which is less than the 90 percent required for substantial conformity.
- The State Data Profile indicates that for fiscal year (FY) 2001, the State did not meet the national standards for (1) the percentage of children who re-entered foster care within 12 months of a prior foster care episode, (2) the percentage of children who were reunified within 12 months of entry into foster care; and (3) the percentage of children discharged from foster care to a finalized adoption who were discharged within 24 months of entry into foster care.

However, the State Data Profile indicates that for FY 2001, the State did meet the national standard for the percentage of children in foster care for less than 12 months who experienced no more than 2 placement settings.

Although performance on this outcome was low in all CFSR sites, there was variation across sites. The outcome was rated as substantially achieved in 67 percent of Outagamie County foster care cases, compared to 46 percent of Milwaukee County foster care cases, and 40 percent of Kenosha County foster care cases.

The results of the case reviews and the data provided in the State Data Profile suggest that local agencies are not consistently effective with regard to (1) establishing appropriate permanency goals in a timely manner, (2) reunifying children in a timely manner, and (3) achieving finalized adoptions in a timely manner. Stakeholders and case reviewers identified the following barriers to achieving timely permanency: (1) a child welfare agency and court practice of maintaining the goal of reunification when the prognosis for achieving that goal is poor, (2) a reluctance on the part of local agencies to seek TPR unless an adoptive resource has been found for the child, and (3) delays in the TPR process due to parents' requests for a jury trial and other factors.

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:** Five of the 25 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 assessment resulted in the finding that all five cases (100%) were rated as a Strength.

Item 5 was rated as a Strength for this item when the child's entry into foster care during the period under review did not take place within 12 months of discharge from a prior episode.

Stakeholders commenting on the issue of foster care re-entries expressed differing opinions. Some stakeholders suggesting that re-entries are a frequent event, while others stated that re-entries are rare. A few Milwaukee County stakeholders suggested that the re-entry rate was a problem at one time, but the problem is now effectively addressed by the provision of safety services to families up to 6 months after reunification. Outagamie County stakeholders reported that in that county, there is no established time-limit on post-reunification services and that some families continue to receive services well beyond 6 months. However, State-level stakeholders reported that local child welfare agencies often emphasize the use of in-home services to support reunification, but that there is no Statewide policy regarding service provision after the child returns home.

State-level stakeholders suggested that the high rate of re-entry reported in the State Data Profile may be attributed in part to juvenile justice cases in which multiple delinquency orders occur or when a child moves back and forth from his/her home to an out-of-home placement in order to stabilize behavior while under the same delinquency order. Stakeholders reported that, for Federal reporting purposes, both the HSRS (the legacy system) and WiSACWIS recognize the return of a child to the family as the point of the child's exit from care. It should be noted that one of the three juvenile justice cases was rated as a Strength for this item and the other two were not applicable for assessment.

***Determination and Discussion:*** Item 5 was assigned an overall rating of Area Needing Improvement. Although case reviews found that in 100 percent of the applicable cases children did not re-enter foster care within 12 months of discharge from a prior episode, the data from the State Data Profile indicate that Wisconsin's re-entry rate for FY 2001 (25.5%) exceeds the national standard of 8.6 percent or less. The criteria and standards for both measures must be met for the item to be rated as a Strength.

According to the Statewide Assessment, the determination of how a child enters and re-enters foster care is affected by child welfare case practice and court review of cases as the period of time that the child welfare agency retains responsibility for the placement is a critical indicator for when a discharge from foster care occurs. The re-entry pattern differs considerably between Milwaukee County and the balance of the State. State data show a 10 percent re-entry for Milwaukee County after 12 months and a 21 percent re-entry for the balance of the State after 12 months. The Statewide Assessment indicates that the sequence of discharges and entries to care are important to understand the extent of re-entry to care.

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

Strength                       Area Needing Improvement

***Review Findings:*** All 25 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 19 (76%) of the 25 applicable cases.
- Item 6 was rated as an Area Needing Improvement in 6 (24%) of the 25 applicable cases.

Additional findings of the case review were the following:

- Children in 13 cases experienced only 1 placement during the period under review (i.e., no placement changes).
- Children in 3 cases experienced 2 placements during the period under review.
- Children in 8 cases experienced 3 placements during the period under review.
- In 1 case, a child experienced 4 placements during the period under review.

Item 6 was rated as a Strength when reviewers determined either that the child did not experience a placement change during the period under review (13 cases), or that the placement changes experienced were in the child's best interest (6 cases), such as moving a child to a placement with siblings or to a pre-adoptive home.

The item was rated as an Area Needing Improvement when reviewers determined that the child's placement change resulted from the following:

- A lack of adequate placement resources (2 cases).
- A lack of local agency efforts to support a placement (1 case).
- Insufficient assessments of the child's needs resulting in inappropriate placements (2 cases).
- Instability of child's current placement (1 case). (Child's current placement is in a foster home currently under investigation for allegations of physical abuse on another child.)

Milwaukee County stakeholders commenting on this issue were in general agreement that children in foster care experience too many unnecessary placement changes. They attributed this problem to one or more of the following: (1) there are not enough foster parents who are sufficiently trained to meet the needs of the children; (2) there is not enough time or enough resources to conduct appropriate matching of children with foster care placements, and (3) caseworkers do not always support foster families when problems arise in the placement.

In contrast, Kenosha County and Outagamie County stakeholders reported that when children are moved, it usually is for a good reason. They noted that in their localities, the agencies make concerted efforts to match children with appropriate placements and to support foster parents when problems arise in dealing with the child. However, some Outagamie County stakeholders expressed concern that many youth in foster care do not perceive their foster families in a positive way and do not feel "cared for" in their foster homes.

***Determination and Discussion:*** Item 6 was assigned an overall rating of Area Needing Improvement. Although data from the State Data Profile for FY 2001 indicate that the percentage of children experiencing no more than 2 placements in their first 12 months in foster care (93.8%) meets the national standard of 86.7 percent or more, case reviewers determined that in 24 percent of the applicable

cases, children experienced placement changes during the period under review that did not promote attainment of their goals or meet their treatment needs. The criteria and standards for both measures must be met for the item to be rated as a Strength.

According to the Statewide Assessment, DCFS is working with counties to minimize the number of moves for children in foster care. To this end, DCFS has implemented a program for supporting county child welfare agencies in the delivery of a competency-based, pre-service training for foster parents. This is designed to prepare foster parents for working with children who have complex problems and needs and to train them to work closely with birth families and caseworkers. The Statewide Assessment also notes that the WiSACWIS system supports a more thorough record of child needs and concerns. The continuing identification and assessment of child-specific concerns enables child welfare agencies to better select a foster care placement provider and to better inform and support the provider in understanding and addressing the child's need.

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

Strength                       Area Needing Improvement

**Review Findings:** All 25 foster care cases were applicable for an assessment of item 7. In assessing this item, reviewers were to determine whether local agencies 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 15 (60%) of the 25 applicable cases.
- Item 7 was rated as an Area Needing Improvement in 10 (40%) of the 25 applicable cases.

The case review found that the children in the 25 foster care cases had the following permanency goals:

- 6 children had a goal of adoption.
- 13 children had a goal of reunification.
- 6 children had a goal of long-term foster care (called “permanent foster care”) or emancipation/independent living.

Four of the 6 children with a goal of long-term foster care were in Outagamie County.

At the time of the onsite review, 19 of the 25 children had been in foster care for 15 of the most recent 22 months. TPR had been filed in only 6 of the 19 cases. For the 13 cases for which TPR had not been filed, a reason for not filing had been entered in 5 of the case files. In eight case files, no reason was provided for why the agencies did not seek TPR.

Item 7 was rated as a Strength when reviewers determined that the child's permanency goal was appropriate and had been established in a timely manner. The item was rated as an Area Needing Improvement when reviewers determined the following:

- The goal is not appropriate given the needs of the child and the circumstances of the case (5 cases).
- The goal is appropriate, but was not established in a timely manner (5 cases).

Stakeholders commenting on this item during the onsite CFSR expressed the opinion that the Adoption and Safe Families Act (ASFA) has been instrumental in facilitating permanency and promoting the establishment of appropriate permanency goals in a timely manner. Stakeholders noted that ASFA provides caseworkers and the courts with the opportunity to talk to parents about permanency goals and timeframes. Most stakeholders also suggested that referrals are being made for TPR in a timely manner, although exceptions may be granted if children are placed with relatives. Several stakeholders reported that the court is the primary decision-maker for setting permanency goals and that it tends to be biased toward reunification. Milwaukee County stakeholders also noted that the presiding judge of the Children's Court is in the process of applying for funds to create a permanency counselor position to help the parents understand the TPR and adoption process and their rights in those procedures, and to work with parents to focus on what is best for their children.

Stakeholders expressed differing opinions regarding the use of concurrent planning. While some indicated that concurrent planning is taking place on a routine basis, others noted that concurrent goals often are not established until a long period of time has elapsed and reunification efforts are not successful. At that time, the goal of adoption is "added" to the goal of reunification as a "concurrent" goal. Some stakeholders suggested that caseworkers view concurrent planning as an ethical and moral problem.

***Determination and Discussion:*** Item 7 was assigned an overall rating of Area Needing Improvement based on the finding that in 40 percent of the applicable cases, reviewers determined that local agencies had not established an appropriate goal for the child in a timely manner.

According to the Statewide Assessment, the primary permanency goal for children in foster care is reunification and, on average, 77 percent of children in foster care have reunification as a goal (using both a point-in-time and first-time entry cohort analysis). Other permanency goals (in order of frequency) are adoption, long-term foster care, relative placement, and emancipation. In Milwaukee County, guardianship increasingly is being used as a permanency goal, particularly for children in relative placements. Guardianship is a major permanency goal for children in court-ordered kinship care.

### **Item 8. Reunification, Guardianship, or Permanent Placement With Relatives**

Strength                       Area Needing Improvement

**Review Findings:** Item 8 was applicable for 13 of the 25 foster care cases. In assessing these cases, reviewers were to determine whether local agencies had achieved the goal of reunification in a timely manner or, if the goal had not been achieved, whether agencies had made, or was in the process of making, diligent efforts to achieve reunification in a timely manner. The results of this assessment were the following:

- Item 8 was rated as a Strength in 6 (46%) of the 13 applicable cases.
- Item 8 was rated as an Area Needing Improvement in 7 (54%) of the 13 applicable cases.

The item was rated as a Strength in 50 percent of the 8 applicable Milwaukee County cases compared to 25 percent of the 4 applicable Kenosha County cases. There was only 1 case in Outagamie County with a goal of reunification and it was rated as a Strength.

All 13 cases included in this assessment had a goal of reunification. In 8 of these cases, children were reunified with their parents during the period under review, and in 4 of the 8 cases, reunification occurred within 12 months of the child's entry into foster care.

Item 8 was rated as a Strength when reviewers determined that reunification had been achieved in a timely manner (4 cases), or that local agencies had made, or were making, concerted efforts to reunify the child in a timely manner (2 cases). The item was rated as an Area Needing Improvement when reviewers determined that agencies had not made adequate efforts to achieve the goal of reunification in a timely manner (7 cases). The following barriers to achieving the goal of reunification were identified in the case reviews: (1) mother's failure to comply with services, (2) mother's inability to find adequate housing and employment, (3) child's desire to be adopted by foster parents rather than return home, (4) mother's relapse of substance abuse, and (5) the lack of desire of adoptive parents to take the child back following an adoption dissolution. In three of these cases, reviewers determined that the goal was not appropriate either because none of the parties involved wanted reunification or because the mothers had not exhibited progress in making the necessary changes.

Stakeholders commenting on this item expressed the opinion that most reunifications take place in a timely manner. Kenosha County stakeholders reported that a family reunification project was implemented in the county about 18 months ago and includes both clinical services and District Attorney involvement. Stakeholders said that the poor quality of the relationships between foster parents and biological parents often is a barrier to timely reunification. They noted that the practice of dual licensure of foster/adopt parents results in foster parents who want to adopt the children and thus, are reluctant to engage in activities that may help them return to their biological families.

Milwaukee County stakeholders reported that BMCW is using guardianship with relatives as a permanency goal, when appropriate. However, they noted that the State does not have a subsidized guardianship program and children in relative placements generally

remain in those placements for long periods of time. It should be noted that Wisconsin has submitted a Title IV-E waiver request to operate a subsidized guardianship program.

**Determination and Discussion:** Item 8 was assigned an overall rating of Area Needing Improvement based on the following findings:

- Data from the State Data Profile indicate that for FY 2001, the percentage of reunifications occurring within 12 months of entry into foster care (71.0%) did not meet the national standard of 76.2 percent or more.
- In 54 percent of the applicable cases, reviewers determined that local agencies had not made diligent efforts to attain the goal of reunification in a timely manner.

### **Item 9. Adoption**

Strength                       Area Needing Improvement

**Review Findings:** Six of the 25 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 3 (50%) of the 6 applicable cases.
- Item 9 was rated as an Area Needing Improvement in 3 (50%) of the 6 applicable cases.

In 3 of the 6 cases in which the child's goal was adoption, the adoption was finalized, and in 2 of those three cases, the finalization occurred within 24 months of the child's entry into foster care. The other adoption was finalized after the child had been in foster care for more than 3 years.

In Wisconsin, DCFS operates the Special Needs Adoption Program (SNAP) at the state level. Counties transfer custody of children to the SNAP following termination of parental rights and the SNAP is responsible for matching children with adoptive parents and finalizing the adoption.

Item 9 was assigned a rating of Strength when reviewers determined that the SNAP in collaboration with the county agency had achieved a finalized adoption in a timely manner (2 cases), or was making active efforts to achieve a finalized adoption in a timely manner (1 case). The item was rated as an Area Needing Improvement when reviewers determined that the SNAP and county agency had not made concerted efforts to achieve a finalized adoption in a timely manner. In one case, the goal of adoption was established at

the time of the child's entry into foster care, but the county agency did not seek TPR until the child had been in care for 12 months, and the court did not hear the case for another year due to the parent's request for a jury trial.

Stakeholders commenting on this item agreed that there were multiple barriers to achieving adoptions in a timely manner. The following barriers pertained to delays in filing for TPR.

- The philosophy of child welfare staff and attorneys is to not file for TPR unless there is an adoptive resource available.
- Both county agencies and the courts tend to emphasize reunification and will permit time extensions if parents appear interested in making change.
- There are not enough attorneys in the District Attorney's office (especially in Milwaukee County) to process the TPR petitions.
- County agency staff who view older children and children with special needs as "unadoptable."

Additional barriers identified by stakeholders pertained to the process of achieving TPR.

- Delays in scheduling a court hearing due to continuances or to absent parents coming forward and requesting services.
- Delays in achieving TPR due to parents appealing a TPR decision.
- Delays in achieving TPR due to parents requesting a jury trial.
- Delays in achieving TPR due to the need to transfer a case from the county to the State after TPR, because at that point, the SNAP takes over the case.

***Determination and Discussion:*** Item 9 was assigned an overall rating of Area Needing Improvement based on the following findings:

- Data from the State Data Profile indicate that the State's percentage of finalized adoptions in FY 2001 occurring within 24 months of removal from home (21.2%) did not meet the national standard of 32.0 percent or more.
- In 50 percent of the applicable cases, reviewers determined that the SNAP and county agencies had not made concerted efforts to achieve the goal of adoption in a timely manner.

According to the Statewide Assessment, the focus of the State's Adoption Program has been on increasing the total number of adoptions without setting specific targets for timeliness. State statutes and standards provide the basis for local child welfare policy and procedures related to moving a child toward TPR and finalizing the adoption. However, Wisconsin's county child welfare agencies and the BMCW are responsible for establishing the permanency goal of adoption and requesting TPR. County attorneys, typically the District Attorneys, prepare the TPR petition and present the case to the court. The TPR must be approved by the court, which can involve a jury trial to establish grounds for TPR.

The Statewide Assessment notes that the timeliness of adoptions is affected by each stage of the adoption process, including the permanency planning phase, the TPR phase, and the finalization phase. Barriers occurring in any of these phases can slow down the

overall adoption process. Adoptions can be delayed due to the reluctance to pursue TPR, extended court action on TPR requests, and finding an appropriate adoption placement. Statewide and BMCW adoption programs have increased capacity by engaging private adoption agencies to do permanency consultation with case managers and promote concurrent planning efforts.

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

Strength       Area Needing Improvement

**Review Findings:** Six of the foster care cases were applicable for an assessment of item 10. In assessing these cases, reviewers were to determine if DCFS 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 5 (83%) of the 6 applicable cases.
- Item 10 was rated as an Area Needing Improvement in 1 (17%) of the 6 applicable cases.

Item 10 was rated as a Strength when reviewers determined that children were receiving appropriate services and the foster care placement was stable. The item was rated as an Area Needing Improvement in one case when reviewers determined that the child was not in a stable long-term placement and there was no independent living plan, although the child (age 16) was receiving Independent Living Skills classes.

Stakeholders commenting on the issue of long-term foster care and eventual emancipation expressed differing opinions. Outagamie County and Kenosha County stakeholders reported that the Independent Living Program (ILP) services provided to youth who are likely to be emancipated from foster care are of good quality, although there was general agreement that improvements are needed in the structure and the services provided. These stakeholders also indicated that caseworkers have frequent contact with the youth and are helpful in assisting them with educational and employment needs. However, some Kenosha County stakeholders suggested that youth in foster care do not always receive the attention from their caseworkers that they need to ensure their well-being in foster care and to support their transition to independent living. Milwaukee County stakeholders also voiced concerns about the quality of ILP services. Some Milwaukee County stakeholders said that many older youth in foster care are not contacted or visited by their caseworkers on a frequent basis and that caseworkers do not respond to their concerns. Milwaukee County stakeholders also questioned the quality of foster homes available for adolescents.

**Determination and Discussion:** Item 10 was assigned an overall rating of Area Needing Improvement because in one (17%) of the six applicable cases, reviewers determined that local agencies had not made concerted efforts to ensure that the child's placement was

stable and that the child was receiving appropriate services.

According to the Statewide Assessment, Wisconsin's Independent Living program is designed to help children make the transition from foster care to self-sufficiency. The Wisconsin program requirements are based on the Federal “Chafee Foster Care Independence Act” and State policy. Services focus on helping youth learn daily living skills; achieve a basic level of safety and well being that includes sufficient employment, housing, income and education; and remain connected to caring adults in their communities for ongoing support. Program eligibility guidelines target youth ages 15-21 years who have been in out-of-home care placement for at least 6 months and youth who left care after age 17 years. The program provides continuing support services to eligible youth up to age 21.

**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>Kenosha County</b>	<b>Milwaukee County</b>	<b>Outagamie County</b>	<b>Total</b>	<b>Total Percentage</b>
Substantially Achieved:	3	4	4	11	44.0
Partially Achieved:	3	9	2	14	56.0
Not Achieved or Addressed:	0	0	0	0	
Not Applicable:	6	13	6	25	

**STATUS OF PERMANENCY OUTCOME 2**

Wisconsin 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 44.0 percent of the cases, which is less than the 90 percent required for substantial conformity.

Although performance with respect to Permanency Outcome 2 was low in all CFSR sites, there were cross-site differences. The outcome was determined to be substantially achieved in 67 percent of Outagamie County cases, compared to 50 percent of Kenosha County cases and 31 percent of Milwaukee County cases.

CFSR case review findings indicate that although local agencies make concerted efforts to place children in close proximity to their parents or close relatives, the agencies are less consistent in their efforts to place siblings together, ensure frequent visitation between

children and parents and siblings in foster care, maintain children’s connections, seek relatives as placement resources, and promote the bond between parents and children while the children are in foster care.

Findings pertaining to the specific items assessed under Permanency Outcome 2 are presented below.

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

Strength                       Area Needing Improvement

**Review Findings:** All 25 foster care cases were applicable for an assessment of item 11. In assessing item 11, reviewers were to determine whether the child's most recent foster care setting was in close proximity to the child's parents or close relatives. The results of the assessment were that Item 11 was rated as a Strength in all 25 cases (100%).

In 16 of the 25 cases, the child was placed in the same county or community as the family of origin. In the remaining cases, reviewers determined that the out-of-county placement was necessary to meet the child’s service or treatment needs.

Stakeholders commenting on this item expressed the opinion that local agencies attempt to place children in their communities whenever possible. However, several stakeholders reported that this objective often is difficult to achieve because of a lack of placement resources. They noted that special-needs children usually are placed out-of-county and that this might have a negative impact on timely reunification.

**Determination and Discussion:** Item 11 was assigned an overall rating of Strength because in 100 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 in placements that, if not in close proximity to parents or relatives, were necessary to meet children’s special needs.

**Item 12. Placement with siblings**

Strength                       Area Needing Improvement

**Review Findings:** Fourteen of the 25 foster care cases involved a child with siblings who also were 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 7 (50%) of the 14 applicable cases.
- Item 12 was rated as an Area Needing Improvement in 7 (50%) of the 14 applicable cases.

In 4 of the 14 applicable cases, the child was in a placement with at least 1 other sibling; in 3 of those cases, the child was in a placement with all siblings.

Item 12 was rated as a Strength if the child was in placement with all of his or her siblings (3 cases), or if the separation of the siblings was deemed necessary to meet at least one child's safety or treatment needs (4 cases). The item was rated as an Area Needing Improvement when reviewers determined that DCFS did not make efforts to place siblings together, even when children requested that they be placed together. In two of these cases, case reviewers reported that foster parents said that they are willing to take all the siblings, but that the caseworker had never asked them.

Stakeholders commenting on this issue provided differing opinions regarding local agencies' efforts to place siblings together. Some stakeholders suggested that agencies make concerted efforts to place siblings together, but that the scarcity of foster homes that will accept large sibling groups is a barrier to achieving this objective. However, other stakeholders voiced concern that agencies do not make the necessary effort and often do not even ask foster parents if they are willing to take a sibling group.

**Determination and Discussion:** Item 12 was assigned an overall rating of Area Needing Improvement based on the finding that in 50 percent of the applicable cases, reviewers determined that local agencies had not made diligent efforts to place siblings together in foster care.

According to the Statewide Assessment, State policy requires that siblings be placed together unless there is a valid reason for not placing them together. The Statewide Assessment indicates that in March 2002, Wisconsin revised its statute to allow foster homes to accept up to six children if that will allow a sibling group to remain together. Normally, only 4 children can be placed in a single home and in order for more than four children to be placed in a single home it has to be in an effort to accommodate a sibling group. According to stakeholders, the policy of "six children" does not include biological children of the foster parents.

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

Strength                       Area Needing Improvement

**Review Findings:** An assessment of item 13 was applicable for 24 of the 25 foster care cases. One case was not applicable because TPR had been established prior to the period under review and parents were no longer involved in the children's lives. In assessing this item, reviewers were to determine (1) whether local agencies had made, or were 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 13 (54%) of the 24 applicable cases.
- Item 13 was rated as an Area Needing Improvement in 11 (46%) of the 24 applicable cases.

Ratings for this item varied across CFSR sites. The item was rated as a Strength in 83 percent of Outagamie County cases, compared to 50 percent of Kenosha County cases and 42 percent of Milwaukee County cases.

Typical visitation between children and their mothers for the 23 applicable cases was the following:

- Weekly visits – 9 cases.
- Twice a month visits - 6 cases.
- Monthly visits – 1 case.
- Less than monthly visits - 3 cases.
- No visits – 4 cases.

Reviewers determined that local agencies had made concerted efforts to promote more frequent visitation in three of the seven cases in which visits with mothers occurred less frequently than once a month.

Typical visitation between children and their fathers for the 21 cases for which this assessment was applicable was the following:

- Weekly visits – 2 cases.
- Twice a month visits – 2 cases
- Monthly visits – 3 cases.
- Less than monthly visits – 5 cases.
- No visits – 9 cases.

Reviewers determined that in 7 of the 14 cases in which visits with father occurred less frequently than once a month, local agencies had made concerted efforts to promote more frequent visitation.

Visitation between siblings was applicable in 11 cases. Typical visitation between siblings was the following:

- Weekly visits – 3 cases.
- Twice a month visits – 4 cases
- Less than monthly visits – 2 cases.
- No visits – 2 cases.

Reviewers determined that there was a valid reason for infrequent visits between siblings in one of the four cases in which sibling visits occurred less frequently than once a month.

Item 13 was rated as a Strength when reviewers determined that the frequency of visitation met the needs of children and parents (8 cases), or that, when visitation was less frequent than needed, local agencies made diligent efforts to promote more frequent visitation (7 cases). The item was rated as an Area Needing Improvement when reviewers determined the following.

- Visitation between children and their mothers was not sufficient (4 cases).
- Visitation between children and their fathers was not sufficient (4 cases).
- Visitation between siblings was not sufficient (3 cases).

Most stakeholders commenting on this item expressed the opinion that local agencies make concerted efforts to facilitate visitation between children and their parents. Stakeholders noted that agencies often provides transportation for parents or foster parents to facilitate visitation, and that visitation usually is supervised, particularly early on in the case.

***Determination and Discussion:*** Item 13 was assigned an overall rating of Area Needing Improvement because in 46 percent of the applicable cases, reviewers determined that local agencies had not made concerted efforts to ensure that visitation between parents and children and between siblings was of sufficient frequency to meet the needs of the child.

According to the Statewide Assessment, DCFS has not established a policy regarding frequency of contact between parents and children because there are too many factors involved in each case to establish a Statewide standard. Some of these factors include the child's permanency, the reasons that the children were removed from the home, whether or not the parent is incarcerated or institutionalized, whether the visits are supervised or unsupervised, and the location of the child and the parent. The Statewide Assessment also notes, however, that State statute requires that a visitation plan be established in each case.

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

Strength       Area Needing Improvement

**Review Findings:** Item 14 was applicable for assessment in 24 of the 25 foster care cases. One case was not applicable because the placement involved an infant who was returned to parental custody after 2 weeks in foster care. In assessing item 14, reviewers were to determine whether DCFS 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 15 (62.5%) of the 24 applicable cases.
- Item 14 was rated as an Area Needing Improvement in 9 (37.5%) of the 24 applicable cases.

Ratings for this item differed across CFSR sites. The item was rated as a Strength in 83 percent of the Kenosha County cases, compared to 67 percent of the Milwaukee County cases and 33 percent of the Outagamie County cases.

Reviewers indicated that in 15 of the 24 cases, children's primary connections had been “significantly” preserved while they were in foster care; in 7 of the 24 cases, children’s primary connections had been “partially” preserved; and in 2 of the 24 cases, children’s primary connections were “not at all” preserved. Three of the cases reviewed involved a Native American child; in two of those 3 cases, reviewers determined that the Tribe was not notified about the placement in a timely manner.

Item 14 was rated as a Strength when reviewers determined that children’s connections had been significantly preserved and that local agencies had made diligent efforts to achieve one or more of the following:

- Preservation of child’s primary connections with extended or former foster family members (14 cases).
- Preservation of the child’s heritage (1 case).
- Preservation of child’s primary connections with school or community (8 cases).

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

- The child is Native American and the local agency had not notified the Tribe about the child’s placement in a timely manner (2 cases).
- The local agency had not made efforts to maintain child’s connection to extended family (5 cases).
- The local agency had not made efforts to maintain child’s connection to religious affiliation (2 cases). (In both of these cases, the biological family specifically requested that connections be maintained with the child’s religion and reviewers determined that these requests were not adequately addressed.)

Stakeholders commenting on this issue generally agreed that local agencies are not consistent in their efforts to ensure that children’s connections are preserved. State-level stakeholders voiced concern that adherence to ICWA provisions is not occurring consistently across the State. These stakeholders noted that in counties that are geographically connected to Tribes, the relationship between

individual county agencies and Tribes tends to be positive and caseworkers in those counties are likely to be in compliance with ICWA. However, there is less compliance with ICWA in counties that do not have personal relationships with Tribal child welfare offices.

Outagamie County stakeholders expressed the opinion that the agency does not routinely identify Native American children and establish ICWA eligibility, especially when children are not in foster care but are at risk for placement. They suggested that ICWA caseworkers are not notified about adoptions and that private adoption agencies under contract with the county do not work with Tribal child welfare. Some stakeholders attributed the lack of contact with the Tribes regarding adoption to the unwillingness of Tribes in some instances to accept TPR because they believe that the child belongs to the Tribe and not to the parents. Milwaukee County stakeholders also expressed concern that caseworkers are not routinely asking families about Native American heritage and notifying and involving Tribes, particularly if the Tribes are in other counties.

**Determination and Discussion:** Item 14 was assigned an overall rating of Area Needing Improvement because in 37.5 percent of the cases, reviewers determined that the local agencies had not made diligent efforts to preserve children's connections. Key concerns pertained to maintaining the child's connections to extended family and, if the child is Native American, to the Tribe.

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

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

**Review Findings:** Twenty-three of the 25 foster care cases were applicable for an assessment of item 15. One case was not applicable because the child was in the juvenile justice system and relative placement was not an option. In assessing this item, reviewers were to determine whether local agencies 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 15 (65%) of the 23 applicable cases.
- Item 15 was rated as an Area Needing Improvement in 8 (35%) of the 23 applicable cases.

Item 15 was rated as a Strength when reviewers determined that the child was placed with relatives (2 cases), or that local agencies had made diligent efforts to search for and assess both maternal and paternal relatives (13 cases). Relatives were ruled out as potential placement resources when they were unable or unwilling to care for the children or had a criminal record or history of substantiated child maltreatment.

The item was rated as an Area Needing Improvement when reviewers determined that local agencies had not made diligent efforts to search for either maternal or paternal relatives (5 cases), had sought paternal relatives but not maternal relatives (1 case), or had sought maternal but not paternal relatives (2 cases).

Stakeholders commenting on this item expressed differing opinions. Although some stakeholders suggested that relatives are routinely sought as placement resources, other stakeholders expressed the opinion that local agencies are not diligent about seeking and assessing relatives. The Statewide Assessment notes that Wisconsin has instituted a Kinship Care program. This program is a financial assistance program funded under the TANF Block Grant. The Kinship Care program often is used as a child welfare service that assists children to remain within their extended family structure. Kinship Care may be used to fund voluntary living arrangements with relatives as well as child welfare placements with relatives where the court has found a child to be in need of protection or services. Stakeholders noted that the State has a Kinship Care program in which children are placed with relatives and relatives can receive money from the Temporary Assistance to Needy Families (TANF) program (child-only assistance) to care for the child. In some instances, children are placed by agencies with relatives under court order and the relative serves as a “foster care” provider, even if he or she is not a licensed foster parent. In other instances, children may be placed with relatives during an investigation without agencies assuming custody of the child.

***Determination and Discussion:*** Item 15 was assigned an overall rating of Area Needing Improvement because in 35 percent of the cases, reviewers determined that DCFS had not made diligent efforts to locate and assess relatives as potential placement resources.

According to the Statewide Assessment, State statute requires that relatives be considered whenever legal custody of a child is to be transferred, when a child is placed in out-of-home care, and when a child is placed for adoption. The permanency plan and the permanency plan review report must include information regarding why a child is not placed with a relative.

Information in the Statewide Assessment indicates that some county agencies do not routinely view relatives as potential licensed foster parents. In these counties, relatives who assume the care of children in agency custody often are referred to the Kinship Care program for TANF payments rather than being given complete information about becoming licensed foster care providers. In these counties, agencies do not allow relatives the opportunity to apply for licensing as foster parents.

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

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

**Review Findings:** An assessment of item 16 was applicable for 24 of the 25 foster care cases. One case was considered not applicable because parental rights were terminated prior to the period under review and parents were no longer involved with the child. In assessing this item, reviewers were to determine whether local agencies 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 15 (62.5%) of the 24 applicable cases.
- Item 16 was rated as an Area Needing Improvement in 9 (37.5%) of the 24 applicable cases.

Ratings for this item varied across CFSR sites. The item was rated as a Strength in 83 percent of Kenosha County and Outagamie County cases, compared to 42 percent of Milwaukee County cases.

Item 16 was rated as a Strength when reviewers determined that local agencies promoted the parent-child relationship by facilitating and encouraging frequent visitation/contact, or made active efforts to promote bonding through the continued involvement of parents with their children. The item was rated as an Area Needing Improvement when reviewers determined that agencies had not made diligent efforts to promote the child's relationship with the mother (3 cases), father (2 cases), or either parent (4 cases).

Stakeholders commenting on this item during the onsite CFSR suggested that local agencies generally attempt to promote parent-child bonding through frequent visitation.

**Determination and Discussion:** Item 16 was assigned an overall rating of Area Needing Improvement because in 37.5 percent of the applicable cases, reviewers determined that local agencies had not 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>Kenosha County</b>	<b>Milwaukee County</b>	<b>Outagamie County</b>	<b>Total</b>	<b>Total Percentage</b>
Substantially Achieved:	9	12	6	27	54.0
Partially Achieved:	2	11	5	18	36.0
Not Achieved or Addressed:	1	3	1	5	10.0
Not Applicable:	0	0	0	0	

#### STATUS OF WELL-BEING OUTCOME 1

Wisconsin 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 in 54.0 percent of the cases reviewed, which is less than the 90 percent required for substantial conformity.

Performance with regard to achieving Well-being Outcome 1 varied across CFSR sites, although no site performed at a high level. The outcome was determined to be substantially achieved in 75 percent of Kenosha County cases, compared to 50 percent of Outagamie County cases and 46 percent of Milwaukee County cases.

CFSR case review findings indicate that local agencies do not consistently make diligent efforts to (1) assess needs and provide services to children, parents, and foster parents; (2) involve children and parents in case planning; or (3) establish face-to-face contact with parents that is of sufficient frequency and quality to ensure children's safety and/or promote the attainment of case goals. However, in 88 percent of the cases, reviewers determined that the frequency and quality of agencies' contacts with children was sufficient to monitor their safety and promote their well-being.

A key concern identified was that, even when fathers are involved in their children's lives, local agencies do not make concerted efforts to engage fathers in case planning, assess fathers' service needs, provide services to fathers, or establish frequent contact with fathers.

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

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

\_\_\_\_ Strength                      X 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 local agencies 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 29 (58%) of the 50 cases (17 of the 29 cases were foster care cases).
- Item 17 was rated as an Area Needing Improvement in 21 (42%) of the 50 cases (8 of the 21 cases were foster care cases).

One of the juvenile justice cases was rated as a Strength for this item. The item was rated as an Area Needing Improvement for the other two juvenile justice cases (both of which were in Outagamie County).

Ratings for this item varied as a function of type of case, with 68 percent of foster care cases rated as a Strength for this item compared to 48 percent of in-home services cases. Item ratings also differed across CFSR sites. The item was rated as a Strength in 75 percent of Kenosha County cases, compared to 54 percent of Milwaukee County cases and 50 percent of Outagamie County cases.

Item 17 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. The item was rated as an Area Needing Improvement when reviewers determined one or more of the following:

- Services provided were delayed or insufficient to meet the needs of the family (7 cases).
- Children's needs were not assessed (6 cases).
- Children's service needs were not met (3 cases).
- Mothers' needs were not assessed (5 cases).
- Mothers' service needs were not met (3 cases).
- Fathers' needs were not assessed (10 cases).
- Fathers' service needs were not met (4 cases).
- Foster parent's needs were not assessed (2 cases).
- Foster parent's service needs were not met (2 cases).

Stakeholders commenting on this item expressed different opinions. Some stakeholders suggested that there are many services available for families and that in most cases, services are matched to the family's identified needs. Other stakeholders, however, suggested that local agencies are not consistent in conducting comprehensive assessments of service needs. Most stakeholders agreed that there is a lack of assessment of fathers' service needs.

**Determination and Discussion:** Item 17 was assigned an overall rating of Area Needing Improvement because in 42 percent of the cases, reviewers determined that local agencies had not adequately assessed and/or addressed the service needs of children, parents, and foster parents.

According to the Statewide Assessment, permanency plans for children include a comprehensive description of the overall functioning and needs of the entire family and of the services that are designed to meet those needs. The Statewide Assessment also notes that Wisconsin's *Ongoing Services Standards and Practice Guidelines* provides a uniform approach to ensure that all county child welfare case managers conduct timely family assessments, case plans, safety assessments, and case reviews for all children and families who enter the system.

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

Strength       Area Needing Improvement

**Review Findings:** An assessment of item 18 was applicable for all 50 cases. 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 31 (62%) of the 50 applicable cases (15 of the 31 cases were foster care cases).
- Item 18 was rated as an Area Needing Improvement in 19 (38%) of the 50 applicable cases (10 of the 19 cases were foster care cases).

The item was rated as a Strength in two of the juvenile justice cases, and as an Area Needing Improvement in one case.

Although there were no substantive differences in ratings for this item as a function of type of case, there were cross-site differences in ratings. The item was rated as a Strength in 92 percent of Kenosha County cases, compared to 58 percent of Outagamie County cases and 50 percent of Milwaukee County cases.

Item 18 was rated as a Strength when reviewers determined that all appropriate parties had actively participated in the case planning process. The item was rated as an Area Needing Improvement when reviewers determined one or more of the following:

- Mothers who should have been involved in case planning were not involved in 8 (17%) of 47 applicable cases. (In 3 of the 50 cases reviewers determined that the mother was either not available to participate or her participation was not in the child’s best interest.)
- Fathers who should have been involved in case planning were not involved in 15 (42%) of 36 applicable cases. (In 14 of the 50 cases reviewers determined that the father was either not available to participate or his participation was not in the child’s best interest.)
- Children who were old enough to have been involved in case planning were not involved in 7 (23%) of 31 applicable cases. (In 19 of the 50 cases, reviewers determined that the child was not old enough to participate in case planning.)

Many county-level stakeholders commenting on this item expressed the opinion that local agencies involve older children and parents in the case planning process. Outagamie County stakeholders reported that Family Group Conferencing is used in that county to facilitate family involvement in case planning. However, State-level stakeholders noted that the involvement of parents and older children in the case planning process varies across counties and that larger counties are more likely to involve families in case planning than are smaller counties.

***Determination and Discussion:*** Item 18 was assigned an overall rating of Area Needing Improvement based on the finding that in 38 percent of the cases, reviewers determined that local agencies had not made diligent efforts to involve parents and/or children in the case planning process. A key concern identified pertained to the lack of involvement of fathers in the case planning process.

According to the Statewide Assessment, State statute and DCFS policy require that parents and children over age 12 be involved in developing case plans. Children’s case plans and permanency plans should include information regarding the level of participation of children and families in the development of the case plan and in other case decision-making.

**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 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 44 (88%) of the 50 cases (23 of the 44 cases were foster care cases).
- Item 19 was rated as an Area Needing Improvement in 6 (12%) of the 50 cases (2 of the 6 cases were foster care cases).

Ratings for this item did not vary as a function of type of case or across the CFSR sites.

This item was rated as a Strength in all three juvenile justice cases.

Reviewers noted the following with respect to frequency of caseworker visits with children in the 25 foster care cases:

- In 4 cases, visits typically occurred weekly.
- In 5 cases, visits typically occurred bi-weekly.
- In 14 cases, visits typically occurred once a month.
- In 2 cases, visits typically occurred less than monthly.

Reviewers noted the following with respect to frequency of caseworker visits with children in the 25 in-home services cases:

- In 15 cases, visits typically occurred weekly.
- In 4 cases, visits typically occurred bi-weekly.
- In 3 cases, visits typically occurred once a month.
- In 3 cases, visits typically occurred less than monthly.

Item 19 was rated as a Strength when reviewers determined that the frequency and quality of caseworker visits with children were 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, but when visits did occur, they focused on issues pertinent to case planning, service delivery, and goal attainment (5 cases).
- The frequency of caseworker visits was sufficient to meet the needs of the child, but the visits did not focus on issues pertinent to case planning, service delivery, and goal attainment (1 case).

Most local level stakeholders commenting on this item were in general agreement that caseworkers visit children frequently and at least once a month.

**Determination and Discussion:** Item 19 was assigned an overall rating of Strength based on the finding that in 88 percent of the cases, reviewers determined that caseworker visits with children were of sufficient frequency and/or quality to meet the needs of the children.

According to Wisconsin's DCFS policy description, the State does not have a specific requirement regarding caseworker visits with children. Instead, the frequency is determined on a case-by-case basis either by the court or by the caseworker and his or her supervisor. The one exception to this is that children placed in treatment foster care must be visited at least once every 2 weeks.

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

Strength                       Area Needing Improvement

**Review Findings:** An assessment of item 20 was applicable for all 50 cases. Reviewers were to assess whether the caseworker's face-to-face contact with the children's mothers and fathers (including adoptive 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 35 (77%) of the 50 cases (18 of the 35 cases were foster care cases).
- Item 20 was rated as an Area Needing Improvement in 15 (23%) of the 50 cases (7 of the 15 cases were foster care cases).

Although ratings for this item did not differ substantively as a function of case type, there was variation in ratings across CFSR sites. The item was rated as a Strength in 92 percent of Kenosha County cases, compared to 75 percent of Outagamie County cases and 58 percent of Milwaukee County cases.

Typical patterns of caseworker visits with mothers were the following (49 applicable cases):

- Weekly visits – 18 cases (2 of which were foster care cases).
- Twice a month visits - 7 cases (4 of which were foster care cases).
- Monthly visits – 17 cases (14 of which were foster care cases).
- Less than monthly visits – 5 cases (3 of which were foster care cases)
- No visits – 2 cases (1 of which was a foster care case).

Typical patterns of caseworker visits with fathers were the following (36 applicable cases):

- Weekly visits – 4 cases (1 of which was a foster care case).

- Twice a month visits - 2 cases (none of which were foster care cases).
- Monthly visits -8 cases (5 of which were foster care cases).
- Less than monthly visits - 14 cases (7 of which were foster care cases).
- No visits – 8 cases (3 of which were foster care cases).

Item 20 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. The item was rated as an Area Needing Improvement when reviewers determined the following:

- Visits with both parents were not occurring with sufficient frequency (8 cases).
- Visits with the father were not occurring with sufficient frequency (7 cases).

Most stakeholders commenting on this issue expressed the opinion that local agency caseworkers establish frequent contact with parents and are easily accessed by parents. However a few stakeholders suggested that the frequency of caseworkers’ contacts with parents may be affected by the size of their caseloads.

**Determination and Discussion:** Item 20 was assigned an overall rating of Area Needing Improvement because in 23 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 DCFS policy, Wisconsin does not have any requirements or standards governing caseworker or other service provider visits with biological parents. A determination is made on a case-by-case basis by the court or the caseworker and his or her supervisor and the service provider. However, BMCW policy requires caseworkers in Milwaukee County to maintain at least monthly contacts with their assigned families. The case reviews indicate that this requirement is not consistently met in the county.

## 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>Kenosha County</b>	<b>Milwaukee County</b>	<b>Outagamie County</b>	<b>Total</b>	<b>Total Percentage</b>
Substantially Achieved:	9	14	7	30	90.9
Partially Achieved:	0	0	1	1	3.0
Not Achieved or Addressed:	1	1	0	2	6.1
Not Applicable:	2	11	4	17	

## STATUS OF WELL-BEING OUTCOME 2

Wisconsin achieved substantial conformity with Well-Being Outcome 2 based on the finding that the outcome was determined to be substantially achieved in 90.9 percent of the cases. This exceeds the 90 percent required for substantial conformity.

A key CFSR finding was that local agencies make concerted efforts to assess children's educational needs and provide appropriate services to meet those needs. However, State-level and Milwaukee County stakeholders expressed concern about the number of school changes experienced by children in foster care.

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 33 of the 50 cases reviewed. Cases that were not applicable for assessment included those in which the children were not of school age or in-home services cases in which the children did not have education-related needs. 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 the following:

- Item 21 was rated as a Strength in 30 (91%) of the 33 applicable cases (19 of the 30 cases were foster care cases).
- Item 21 was rated as an Area Needing Improvement in 3 (9%) of the 33 applicable cases (2 of the 3 cases were foster care cases).

This item was rated as a Strength in all three juvenile justice cases.

Item 21 was rated as a Strength when reviewers determined that all educational needs were assessed and addressed as appropriate. The item was rated as an Area Needing Improvement when reviewers determined that services for identified educational needs were not provided (2 cases), or that a child experienced multiple schools changes and local agencies did not make an effort to limit the number of changes (1 case).

Stakeholders in Kenosha County and Outagamie County were in general agreement that local agencies make concerted efforts to meet

the educational needs of children and youth. However, although some Milwaukee County stakeholders noted that BMCW caseworkers routinely participate in IEP meetings and address children’s educational needs, others reported that BMCW caseworkers do not consistently address educational issues. Both Milwaukee County and State-level stakeholders expressed concern about the number of children in foster care who experience school changes both when they enter foster care and when they experience a placement change.

**Determination and Discussion:** Item 21 was assigned an overall rating of Strength because in 91 percent of the applicable cases, reviewers determined that DCFS had made diligent efforts to meet children’s educational needs.

According to the Statewide Assessment, statutory expectations associated with permanency planning and with State practice standards and guidelines related to assessment and case planning support coordination of activities between local child welfare agencies and schools. As part of these statutory requirements and practice guidelines, child welfare agencies are responsible for ensuring that educational concerns, such as performance, attendance, behavioral and/or developmental issues, and subsequent service responses are addressed as part of local agencies’ ongoing interventions with children and their families.

The Statewide Assessment also notes that, at the State level, DCFS maintains a working relationship with key policy and administrative staff in the State’s Department of Public Instruction (DPI), which is the State agency that governs local educational services. DCFS and DPI have worked together to provide consistent program and policy direction to both schools and child welfare agencies regarding sharing of information and service coordination, particularly for children in foster care. In addition, representatives from both DCFS and DPI serve with other key State-level stakeholders on a committee examining the confidentiality requirements of the respective systems and how these requirements can protect an individual’s information while supporting effective cross-system communication.

**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>Kenosha County</b>	<b>Milwaukee County</b>	<b>Outagamie County</b>	<b>Total</b>	<b>Total Percentage</b>
Substantially Achieved:	11	15	7	33	68.8
Partially Achieved:	0	6	2	8	16.7
Not Achieved or Addressed:	0	4	3	7	14.5
Not Applicable:	1	1	0	2	

### STATUS OF WELL-BEING OUTCOME 3

Wisconsin 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 68.8 percent of the 48 applicable cases, which is less than the 90 percent required for substantial conformity.

Performance on this outcome varied across CFSR sites. The outcome was determined to be substantially achieved in 100 percent of Kenosha County cases, compared to 60 percent of Milwaukee County cases and 58 percent of Outagamie County cases.

Information from the CFSR case reviews and stakeholder interviews indicates that in Milwaukee County and Outagamie County, the agencies are not consistent in addressing children’s mental health or physical health service needs. A key concern identified was that children are not receiving mental health assessments even when the nature of the maltreatment, the dynamics of the family, and the family’s and child’s history suggest that a mental health assessment is warranted.

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 46 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 a concern. 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 38 (83%) of the 46 applicable cases (19 of the 38 cases were foster care cases).
- Item 22 was rated as an Area Needing Improvement in 8 (17%) of the 46 applicable cases (6 of the 8 cases were foster care cases).

This item was rated as a Strength in two of the three juvenile justice cases. It was rated as an Area Needing Improvement in the one case that involved both juvenile justice and child welfare concerns.

Ratings for this item varied as a function of case type. The item was rated as a Strength in 93 percent of applicable in-home services cases compared to 76 percent of foster care cases. Ratings also differed across CFSR sites. The item was rated as a Strength in 100 percent of Kenosha County cases and 87 percent of Milwaukee County cases, compared to 58 percent of Outagamie County cases.

Item 22 was rated as a Strength when reviewers determined that children's health needs were routinely assessed and services provided as needed. The item was rated as an Area Needing Improvement when reviewers determined one or more of the following:

- The child did not receive appropriate or timely physical health screenings (2 cases).
- The child did not receive appropriate preventive health or dental care (2 cases).
- The child did not receive treatment for an identified health or dental need (4 cases).
- There was no documentation in the case file of screenings or health and dental care (2 cases).

Stakeholders' perceptions of local agencies' effectiveness in meeting children's physical health needs varied across localities. Kenosha County stakeholders were in general agreement that agencies are effective in assessing and meeting children's physical health needs. However, State-level, Milwaukee County, and Outagamie County stakeholders reported several challenges to meeting children's physical health needs. One challenge pertained to the difficulty accessing dental care due to the lack of dental providers who will accept Medicaid. Another challenge to meeting children's physical health needs is the fact that in Wisconsin, in many cases in which children are in foster care, biological parents must give consent before physical or mental health care services can be provided, and sometimes they refuse consent. State-level stakeholders also reported that the provision of physical health screenings for children entering foster care varies by county size and is influenced by financial constraints.

*Determination and Discussion:* Item 22 was assigned an overall rating of Area Needing Improvement based on the finding that in 17 percent of the applicable cases, reviewers determined that local agencies had not adequately addressed children's health needs.

According to the Statewide Assessment, Wisconsin Administrative Code requires that foster parents arrange a HealthCheck screen, including dental screen, within 30 days of a child entering a foster care. A complete screen includes: health and developmental history, a vision exam, a hearing exam, anticipatory guidance, an unclothed physical exam, appropriate lab tests and immunizations and an oral assessment. The Statewide Assessment also notes that children's health and mental health needs are met through a variety of resources including private health insurance; Medicaid; and/or local collaborations among private providers, public health agencies, and the local child welfare agency. The Statewide Assessment reports that the State will be implementing a Managed Care Initiative in Milwaukee County. The initiative may be expanded Statewide, depending on the success of the initiative in Milwaukee. Dental services and mental health services are currently included in the Managed Care Initiative.

### Item 23. Mental health of the child

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

**Review Findings:** An assessment of item 23 was applicable for 32 of the 50 cases reviewed. Cases that were not applicable were those in which the child was too young for an assessment of mental health needs or in-home services cases in which mental health needs were not an identified concern. 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 22 (69%) of the 32 applicable cases (13 of the 22 cases were foster care cases).
- Item 23 was rated as an Area Needing Improvement in 10 (31%) of the 32 applicable cases (5 of the 10 cases were foster care cases).

This item was rated as a Strength in all three juvenile justice cases.

Ratings for this item did not differ substantively as a function of type of case but did vary across CFSR sites. The item was rated as a Strength in 100 percent of applicable Kenosha County cases, compared to 67 percent of applicable Outagamie County cases and 50 percent of applicable Milwaukee County cases.

Reviewers determined that children’s mental health needs were “significantly” assessed in 20 cases, “partially” assessed in 4 cases, and “not at all” assessed in 7 cases. Reviewers determined that identified mental health service needs were “significantly met” in 22 cases, “partially met” in 2 cases, and “not at all met” in 6 cases.

This item was rated as a Strength when reviewers noted that children’s mental health needs were "significantly" or “partially” assessed, and mental health needs, if relevant, were “significantly” met. The item was rated as an Area Needing Improvement when reviewers determined the following:

- The child did not receive a formal mental health assessment even when the facts of the case and the family’s and child’s history indicated that a mental health assessment was warranted (7 cases).
- Children with mental health needs did not receive ongoing mental health treatment that was sufficient to meet their needs (2 cases).

Most stakeholders commenting on this item identified the following concerns regarding mental health assessments and services: (1) there is a problem accessing mental health services for children in the in-home services cases because their families usually do not have medical insurance that will cover mental health services; (2) there are long waiting lists for mental health assessments; (3) often it is necessary to obtain parental consent for mental health assessments and services; and (3) there are an insufficient number of mental health service providers.

Several stakeholders also voiced concern that as a result of the absence of a State statute mandating formal assessment or evaluations specifically for mental health, there is no agency protocol to ensure that children receive mental health assessments or evaluations when they have suffered trauma in the form of abuse and/or neglect unless they exhibit behavior problems. As noted above, there were 7 cases (6 of which were in Milwaukee County) in which reviewers determined that the circumstances warranted a mental health assessment, but no assessment was conducted. For example, in one case, a child had suffered a gunshot wound but did not receive a mental health assessment because, after recovering from physical injuries, the caseworker determined that the child “appeared to be okay.” Stakeholders suggested that local agencies tend to meet children’s mental health needs when problems occur rather than addressing the potential for mental health-related problems.

***Determination and Discussion:*** Item 23 was assigned an overall rating of Area Needing Improvement based on the finding that in 31 percent of the applicable cases, reviewers determined that local agencies had not made sufficient efforts to address the mental health needs of children. A key concern identified pertained to the lack of consistent provision of mental health assessment services when it was apparent that a mental health assessment is needed.

According to the Statewide Assessment, mental health and substance abuse services for children are not mandated by statute or DCFS policy, but are determined by individual caseworkers. Child and family assessments are expected to examine mental health and substance abuse as one component of a more comprehensive assessment. With use of the Wisconsin Model and WiSACWIS programs, these family assessments and results of evaluations are now being accurately recorded and tracked. Also, with increased wrap-around services in Milwaukee County and Statewide, agencies have increased their focus on the mental health and substance abuse treatment needs of children in foster care

However, as noted in the Statewide Assessment, the ability to consent for mental health or substance abuse screens and treatment remains with the biological parent or guardian whether the child remains in the home or is in out-of-home care. Only in specific situations and with a court order may local agencies provide consent for mental health or substance abuse treatment.

## SECTION 2: SYSTEMIC FACTORS

### IV. STATEWIDE INFORMATION SYSTEM

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

Wisconsin is in substantial conformity with the systemic factor of Statewide Information System. Information pertaining to the item addressed for this factor is provided 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 months, has been) in foster care.**

Strength                       Area Needing Improvement

This item is rated as a Strength because both the State’s new Statewide Automated Child Welfare Information System and the HSRS (the State’s legacy system) can identify, at a minimum, the status, demographic characteristics, location, and goals for the placement of every child in foster care.

According to the Statewide Assessment, the State is in the process of implementing Wisconsin’s Statewide Automated Child Welfare Information System, which is a case management system built around standards of practice that support the achievement of safety, permanency, and well-being for children and families. The State’s initial Statewide Automated Child Welfare Information System consists of a client-server application and is called WiSACWIS. WiSACWIS can identify the status, demographics, location, and goals for all children in foster care in the counties in which it has been implemented. The WiSACWIS application provides integrated case management functionality to local child welfare agency end-users. WiSACWIS replaces legacy systems that were developed for the collection of out-of-home care and child safety data to meet Federal reporting requirements. Stakeholders report that as of the onsite review, WiSACWIS has been implemented in 39 counties, including Milwaukee County, and the Special Needs Adoption Program (SNAP). Stakeholders also identified that the State would implement SACWIS in 9 additional counties in October 2003 and

the remaining 24 counties by June 2004. In addition, stakeholders report that the client server version of the application (WiSACWIS) is being replaced by a web-based system called e-WiSACWIS and this will require a conversion to the web-based system for those counties where WiSACWIS is operational. The conversion to e-WiSACWIS would occur during October 2003 through December 2003.

Stakeholders commenting on this Statewide information system during the onsite CFSR expressed the opinion that both WiSACWIS and HSRS, which is the State's legacy system for foster care reporting, can identify the status, demographic characteristics, location, and goals of children in foster care. However, HSRS, which was still in use in 33 counties as of the onsite review, was not designed as a case management system. For the three CFSR sites, Kenosha and Milwaukee Counties are using the WiSACWIS system, while Outagamie County currently is using the legacy HSRS system.

Stakeholders in all three counties acknowledged the limitations of the legacy system, such as lack of access to historical case data, difficulty in tracking juvenile justice cases, and lack of interfaces across child welfare jurisdictions to learn whether a family has had contact or a history with the agency. Stakeholders commenting on WiSACWIS noted that the system provides easy access to historical and cross-jurisdictional information (e.g., county child welfare agencies, child support, Medicaid). Stakeholders also noted that the new SACWIS system strengthens organizational practices, such as logging cases in a uniform manner, assigning cases quickly, getting notifications to workers, adhering to timelines, and approving case and permanency plans.

However, stakeholders observed that there have been numerous challenges and growing pains associated with WiSACWIS implementation. Key concerns connected with implementation expressed by stakeholders were the following:

- The system is "slow" and makes data entry a difficult and time-consuming process.
- Data are lost due to technical problems and system crashes.
- Standardized reports are not useful or meaningful to local-end users.
- Some historical case information is not available to State-level adoption workers.

## V. CASE REVIEW SYSTEM

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

Wisconsin is not in substantial conformity with the systemic factor of Case Review System. The CFSR determined that Wisconsin does not routinely involve both parents in the case planning process and the development of the case plan. Although mothers are almost always involved, fathers are almost always excluded even when their whereabouts are known. The CFSR also determined that the TPR process is not being consistently implemented in accordance with the provisions of ASFA and that there are court- and agency-related delays with regard to both filing for TPR and attaining TPR. In addition, CFSR findings indicate that the process for notifying foster parents, preadoptive parents, and relative caregivers about reviews and hearings is not being implemented in a timely or consistent manner throughout the State. A key concern noted by stakeholders was the lack of timely notification of the Tribes regarding reviews and hearings.

Despite these concerns, the CFSR found that required 6-month case reviews and 12-month permanency hearings are being held in a timely manner, although stakeholders noted that these reviews may be delayed in a few counties in the State. They noted that when delays occurred, they were usually the result of court scheduling problems.

Findings with regard to specific items 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 was rated as an Area Needing Improvement because local child welfare agencies do not routinely involve both parents in the joint development of the case plan. While mothers are frequently involved, fathers are almost always excluded even when their whereabouts are known. High caseloads were identified as a barrier to workers being able to develop case plans jointly with family members.

According to the Statewide Assessment, DCFS' *Ongoing Service Standards and Practice Guidelines* requires that child welfare staff engage in ongoing case planning and involve the family in the development, implementation, and evaluation of the case plan. This requirement is based on an awareness of the importance of the helping relationship between the family and agency staff. It is supported by an approach that recognizes family strengths and needs and the family's perception of their needs and goals. Agency staff are responsible for reviewing the case plan with the family and having family members sign the case plan. The full case plan is due within 60 days of the family's assignment for ongoing services with a local child welfare agency. Following the implementation of the case plan, agency staff are responsible for the ongoing evaluation of the progress with the family and service providers and documenting the results of this evaluation every 6 months.

As noted in the Statewide Assessment, the involvement of families in case plan development varies across counties. The Statewide Assessment identified the following barriers to family involvement in case planning:

- High caseloads and high supervisor-to-staff ratios that result in situations in which staff have less time to devote to involving parents in the planning process and developing effective case plans.
- Worker perceptions that family engagement in case planning is "therapy" and not the role of the CPS worker.
- Worker perceptions that families are not sufficiently "motivated" to become involved.

The Statewide Assessment reports that State and county administrators plan to assess what is the best strategy to overcome the perceived and real barriers to effective family involvement and design service approaches, policies, and practices to facilitate family engagement.

Most local-level stakeholders commenting on case plans and the case planning process during the onsite CFSR were in general agreement that children have case plans. Although some stakeholders reported that parents are involved in the case planning and assessment process on a routine basis, other stakeholders reported that the level of parental involvement and the quality of the case plan depends on the skills and approach of the individual caseworker. State-level stakeholders reported that involvement of parents in case planning varies across counties. In 38 percent of the cases reviewed during the onsite CFSR, reviewers determined that parents and children had not been adequately involved in the case planning process. A key concern identified in the case reviews pertained to the exclusion of fathers from the case planning process.

**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 an administrative review body.**

Strength                       Area Needing Improvement

Item 26 was rated as a Strength because for the most part, 6-month periodic reviews of the status of each child are conducted in a timely manner in the vast majority of counties in the State.

According to the Statewide Assessment, significant changes to the Children’s Code and Juvenile Justice Code regarding case reviews were put into effect by 2001 Wisconsin Act 109 (Act 109). This includes the establishment of new timeframes for conducting the review of the permanency plan once every 6 months, in keeping with ASFA requirements. Six-month reviews of permanency plans are generally conducted by administrative review panels (except in Milwaukee County where court commissions conduct the 6-month status reviews) and 12-month permanency reviews are conducted by circuit court judges. The Administrative Review Panel case reviews alternate with the annual permanency plan hearing conducted by the court.

Most local-level stakeholders participating in the onsite CFSR were in general agreement that although there has been some confusion in some counties because the Wisconsin law was only recently enacted, the 6-month reviews are taking place in a timely manner for both foster care and juvenile justice cases. Several stakeholders said that recently, the quality of the reviews has improved, and that there is now a greater emphasis on meeting children’s permanency needs and ASFA timeframes. However, State-level stakeholders indicated that there are some counties where the reviews are not being held at all, and some where 6-month reviews are not occurring in a timely manner due to caseworker’s high caseloads.

**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 Wisconsin’s process 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. Although stakeholders indicated that sometimes hearings were delayed due to problems with court scheduling, these delays were not a frequent occurrence.

According to the Statewide Assessment, Act 109 amended the Children’s Code and Juvenile Justice Code to include establishing a permanency plan hearing, which was previously known as the annual extension hearing. Act 109 requires that the court hold a permanency plan hearing to review the permanency plan no later than 12 months after the date on which the child was first removed from the home and every 12 months thereafter. Child welfare agencies submit a permanency plan hearing request 60 days in advance to ensure timely court hearings.

The Statewide Assessment notes that extensive trainings were provided to child welfare professionals and other key stakeholders to facilitate the implementation of this statutory change. Model court forms were amended and released during the fall of 2002 to reflect the Act 109 requirements. The Wisconsin Juvenile Bench book has been updated to support judicial operations and the Bench book is reflective of the Act 109 changes.

Stakeholders interviewed regarding the permanency hearing process during the onsite CFSR expressed the opinion that 12 month-permanency hearings are held in a timely manner. State-level stakeholders noted that the hearings are “moving cases forward” with a greater focus on permanency issues, such as goal achievement, need for out-of-home care, and the potential for termination of parental rights. However, stakeholders raised a number of court-related concerns that impact the timeliness and quality of the hearings, including scheduling delays, lack of sufficient legal representation for parents, the practice of judicial rotations, and the variation in judicial awareness of ASFA permanency requirements. In Outagamie County, and some other larger jurisdictions, the judges rotate every year which means there is a different judge at each child’s annual permanency plan hearing.

**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

This item is rated as an Area Needing Improvement because CFSR findings indicate that the TPR process is not being consistently implemented in accordance with the provisions of ASFA due to court- and agency-related delays with regard to both filing for TPR and attaining TPR.

According to the Statewide Assessment, modifications to the Children’s Code and the Juvenile Code enacted in July 2002 as part of Act 109 provide the statutory basis to pursue TPR for children who have been in out-of-home care for 15 of the most recent 22 months. The *Ongoing Service Standards and Practice Guidelines* establish a framework for assessment, decision-making, and

documentation related to termination of parental rights. In addition, DCFS has provided instructions to county agencies regarding compliance with the ASFA requirement. Quarterly reports are sent to county agencies that identify children who have been in foster care for 15 months or more and children who are approaching the 15<sup>th</sup> month, so that counties can pursue TPR in a timely manner or document exceptions to the TPR requirement. Training and consultation has been provided to ensure understanding of the practice standards and statutory changes.

However, information in the Statewide Assessment indicates that there are a number of philosophical, educational, and operational challenges that impact the TPR process. The Statewide Assessment notes that these challenges are being addressed through the following activities: (1) engaging individuals and groups who have different beliefs about parental rights (e.g., judges or Tribes) in discussion and exploring exceptions; (2) improving the level of legal expertise for conducting TPR trials; and (3) streamlining agency, county, and court processes for filing TPRs in a timely manner.

Stakeholders commenting on this issue during the onsite CFSR were in general agreement that although procedures are in place for terminating parental rights in accordance with ASFA timeframes, there are multiple agency- and court-related barriers to timely TPRs. These include the following:

- Late filings by the child welfare agency that do not give the court enough time to get the case on the docket.
- Staffing shortages among district attorneys, public defenders, and agency attorneys that often result in the need to grant continuances.
- The right of parents to request a jury trial in cases of involuntary TPR.
- The lengthy TPR appeals process.
- The general focus of both child welfare agencies and the courts on reunifying children with parents whenever possible, which results in frequent extensions for parents to meet their case plan goals.
- An unwillingness on the part of child welfare staff and attorneys to file for TPR unless there is an adoptive resource available.

Some stakeholders also reported that there are many cases in which exceptions to TPR are filed by the child welfare agency and approved by the court, particular for children 12 years and older, special-needs children, Native American children, and children for whom there are no identified adoptive resources. Stakeholders noted that agencies and the courts tend to view these children as “unadoptable.”

**Item 29. Provides a process for foster parents, preadoptive 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 an Area Needing Improvement because the CFSR determined that the process for notifying foster parents, preadoptive parents, and relative caregivers about reviews and hearings is not being implemented in a timely or consistent manner throughout the State. A key concern noted by stakeholders was the lack of timely notification of the Tribes regarding reviews and hearings.

According to the Statewide Assessment, the Children’s Code and the Juvenile Justice Code mandates that at least 10 days before the date of a hearing, the court shall notify a foster parent, treatment foster parent, or other physical custodian and give them an opportunity to be heard at the specified hearing. Under State statute, a foster parent, treatment foster parent or physical custodian does not become a legal party to the court proceeding on which the hearing is held solely on the basis of receiving that notice and opportunity to be heard. The Statewide Assessment also notes, however, that because the State does not have a comprehensive quality assurance system, it is not known whether foster parents are receiving notice in a timely manner. However, as indicated in the Statewide Assessment, permanency plan review panels and court commissioners may reschedule hearings if the notice requirement is not met and the placement provider is not given the opportunity to be heard.

Stakeholders commenting on this issue during the onsite CFSR expressed differing opinions regarding the notification of foster parents about hearings and the opportunity of foster parents to be heard. Some stakeholders indicated that foster parents are routinely notified of hearings and have the opportunity to be heard. Other stakeholders suggested that foster parents are routinely notified regarding the 6-month administrative reviews (with notification done by the agency), but that notification of the 12-month permanency hearing (with notification the responsibility of the courts) is less consistent. Still other stakeholders suggested that notification is consistent, but that the opportunity to be heard varies across courtrooms and also depends on how comfortable foster parents are with the process, particularly with court hearings. Finally, some stakeholders reported that the Tribes do not receive notification of the reviews or hearings in a timely manner, with the notice often communicated by phone or fax “at the last minute.”

## VI. QUALITY ASSURANCE SYSTEM

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

Wisconsin is not in substantial conformity with the systemic factor of Quality Assurance System. The CFSR found that, although the State has developed and implemented both initial investigative standards and on-going guidelines to ensure the safety of children in foster care, DCFS does not have a quality assurance system that has the capacity to evaluate the quality of services, provide relevant reports, or evaluate the implementation of program improvement measures.

### **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.**

Strength       Area Needing Improvement

Item 30 is rated as a strength because Wisconsin developed and implemented both initial investigative standards and on-going guidelines for children in foster care. Information from the stakeholder interviews during the onsite CFSR indicates that counties are following the standards and guidelines to ensure that children in foster care are provided quality services to protect the safety and health of children.

According to the Statewide Assessment, the *Child Protective Service (CPS) Investigation Standards* became effective in September 1994, as authorized in S. 48.981 (3)(c). These standards provide county agencies with specific directions to conduct child abuse and neglect investigations and thorough assessments to meet the needs of children. The *Ongoing Services Standards and Practice Guidelines for Child Protective Services* were issued in May 2002. The *Standards and Guidelines* cover all aspects of child protective services and reflect the requirements of State and Federal law. The guidelines are intended to identify good practice in the ongoing case process and to provide an increased focus on risk reduction and the establishment of a safe environment, thereby promoting timely and effective case management. The Statewide Assessment also notes that Wisconsin has established standards for licensing providers, including foster homes, treatment foster homes, group homes, and residential care centers.

Stakeholders commenting on this issue during the onsite CFPSR indicated that the State has established standards and guidelines to ensure that children in foster care are provided quality services. State-level stakeholders observed that Statewide implementation of the *Ongoing Standards* ensures that children receive quality services to protect their 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 an Area Needing Improvement because the CFPSR determined that DCFS does not have a quality assurance system that has the capacity to evaluate the quality of services, provide relevant reports, or evaluate the implementation of program improvement measures.

According to the Statewide Assessment, the child welfare system in Wisconsin is primarily a State-supervised, county administered system, and therefore quality assurance (QA) activities are conducted at both the State and county levels. Quality assurance activities are used for program evaluation and quality improvement purposes. DCFS has responsibility for collecting and analyzing child welfare data, monitoring trends in service, and implementing statewide QA initiatives. Demonstrating its increased interest in the use of performance-based data, the DCFS has used outcome data to prepare counties for compliance with ASFA requirements and has focused attention on performance outcomes related to child welfare. As Wisconsin implements WiSACWIS in each county, more data are available and county agencies are using the information to monitor their local program outcomes.

The Statewide Assessment also notes that some county agencies have their own QA practices based on perceived need and/or local issues. State and local QA activities generally complement one another, although the areas of emphasis may differ. County agencies develop local policies and procedures to supplement State policy direction and to establish local direction in those areas with no state policy direction. The State works with county agencies to develop local policies.

As reported in the Statewide Assessment, the county-administered structure of the Wisconsin child welfare system complicates monitoring for Statewide consistency in the implementation of child welfare program standards. Variation in practice and protocol among county agencies may lead to inconsistent compliance with Federal and State requirements or variation in the quality of services. Statewide QA and quality improvement (QI) activities have been identified by the State, counties, and other stakeholders as an area to address in the State child welfare system. The Statewide Assessment notes that in order to improve QA on a Statewide basis, DCFS will need to develop a systematic approach to be implemented Statewide.

Stakeholders commenting on this item noted that there is no comprehensive, statewide, QA system, although there are multiple QA-type review mechanisms operating at various local levels. Outagamie and Kenosha County stakeholders reported that there is no identifiable formal county-wide QA system in their counties to examine the consistency of practice across workers. In contrast, Milwaukee stakeholders noted that the county has a formal and integrated QA process that involves the Program Evaluation Managers tracking case progress, reviewing safety services, and monitoring compliance with ASFA requirements.

State-level stakeholders expressed concern about the absence of a comprehensive, Statewide QA program in the DCFS. Several of these stakeholders reported that limited financial and human resources hamper the DCFS’s efforts to conduct ongoing QA and monitoring. However, some State-level stakeholders indicated that they anticipate greater standardization of practice and more systemic efforts for ongoing QA when all 72 counties have fully implemented WiSACWIS.

## VII. TRAINING

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

Wisconsin is not in substantial conformity with the systemic factor of Training. Information obtained during the CFSR indicates that the collaborative approach to training among the State, counties, training partnerships, Tribes, and universities does not ensure that newly hired caseworkers in all county child welfare offices receive the initial training necessary to provide services that support the goals and objectives of the Child and Family Services Plan (CFSP). In addition, the CFSR found that many newly-hired caseworkers are assigned caseloads before completion of a core or foundation training program, and that DCFS does not have Statewide requirements for staff to participate in ongoing training. Finally, stakeholders reported that although the State DCFS has developed a training curriculum for foster parents and makes this curriculum available to the counties, neither pre-placement nor ongoing training for foster parents is State-mandated. Consequently, there are some counties in which foster parents receive minimal training prior to having a child placed in their homes.

**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.**

Strength       Area Needing Improvement

Item 32 is rated as an Area Needing Improvement because information obtained during the CFSR indicates that the collaborative approach to training among the State, counties, training partnerships, Tribes, and universities does not ensure that caseworkers in all county child welfare offices receive the initial training necessary to provide services that support the goals and objectives of the Child and Family Services Plan (CFSP). A key concern is that many newly hired caseworkers are assigned caseloads before completion of any training program.

According to the Statewide Assessment, the Wisconsin child welfare training system consists of local agencies working collaboratively to define training needs and deliver training to staff, primarily through regional training partnerships. The partner agencies include DCFS, all county child welfare agencies, most Tribal child welfare agencies, BMCW, and the State Adoption program. Each partnership is sponsored by a University of Wisconsin (UW) campus (i.e., Green Bay, Madison, Milwaukee and River Falls). The State Child Welfare Training Council, which includes representatives of the partner agencies, oversees the Statewide child welfare training system and establishes Statewide training policies.

As noted in the Statewide Assessment, staff training offered by the training partnerships is designed to improve child welfare practice and supervision and includes core competencies in the areas of safety, permanency, and well-being and specialized training on advanced practice topics. County agencies work with the training partnerships to conduct individualized training needs for staff. Training is provided throughout the State at regional and local agency levels.

Information from the Statewide Assessment indicates that specific requirements for staff training are determined at the local rather than at the State level. For example, some local agencies require social worker certification for staff, while others do not. In addition, counties vary in the extent to which their existing staff has completed the core curriculum and the time frames for new staff to complete the core curriculum.

However, information from the Statewide Assessment also indicates that State law requires that all workers whose responsibilities include court intake of children to successfully complete training in juvenile court intake procedures. This training is provided by the Department of Corrections and the juvenile court intake association.

State-level stakeholders commenting on this item during the onsite review reported that the training system is overseen by the Wisconsin Child Welfare Training Council, which coordinates and integrates the training provided by the Regional Partnerships with each other and with DCFS. They noted that although DCFS provides guidance regarding the type of training staff should receive, there is no State mandate regarding the amount of training required for staff, on a pre-service basis or in the initial year of employment. Stakeholders also noted that training partnership membership agreements with counties and tribes suggest that “foundation” training including the core curriculum be completed sometime during the first 12 to 18 months of employment, but staff completion of training is not regularly monitored. Consequently most staff do not receive pre-service training prior to receiving a caseload and many staff do not complete all of the foundation training.

Stakeholders also noted that because training requirements are determined by the county, in many counties, there may be a large number of workers who do not receive pre-service training, while in BMCW and some other counties, all workers receive extensive pre-service training. DCFS has not established requirements for pre-service training and those counties that offer pre-service training determine their own curriculum. Overall, although most counties try to ensure that workers receive some basic training before receiving a caseload, this does not happen on a consistent basis. Some State-level stakeholders noted, however, that recently all of the counties have made a commitment to send workers to the core training, even though it is not required.

Milwaukee stakeholders reported that workers receive pre-service training and complete seven core classes over a year period, but that they are assigned a caseload before completing the core courses. Outagamie stakeholders indicated that in that location, workers participate in six core courses over a year period, and they also receive caseloads prior to completion of training.

**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        X   Area Needing Improvement

Item 33 is rated as an Area Needing Improvement because the CFSR determined that the collaborative approach among the State, counties, training partnerships, Tribes, and universities does not ensure that caseworkers in all county child welfare offices receive ongoing training that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.

According to the Statewide Assessment, local agencies establish their own requirements for ongoing training. Agencies may work with the existing training partnerships to conduct individualized training needs assessments for staff. For agencies requiring social-worker certification for staff, social workers must be certified by the Wisconsin Department of Regulation and Licensing and must obtain continuing education to maintain their certification. As noted in the Statewide Assessment, two training-related constraints on the child welfare system are the limited State funds available to support further growth of the training system and the dependency of the training partnerships on Federal title IV-E funds.

The Statewide Assessment also notes, however, that DCFS contracts with the University of Wisconsin (UW) in Madison and Milwaukee to support Master of Social Work (MSW) degree programs and with the UW-Green Bay to support Bachelor of Social Work degree programs. A new MSW Program at UW-GB and UW-Oshkosh also received a contract for the 2003/2004 academic year. DCFS provides Federal title IV-E funds on a pass through-basis to each of these universities to provide stipends for students to work in public child welfare. Approximately 25-30 students annually receive their MSW degrees through the IV-E training programs. DCFS also provides Federal title IV-E funds on a pass-through basis to the UW-Milwaukee to support training of child caring facility workers across the State.

Several stakeholders commenting on this item during the onsite CFSR expressed concern that ongoing training often is not available to workers or supervisors, although the availability varies across counties. They also noted that social workers who must obtain continuing education to maintain their certification often are left on their own to find the training resources. Several stakeholders identified the following barriers to ongoing training: (1) the scarcity of funds available for developing training opportunities; (2) the lack of time for workers and supervisors to attend training; and (3) the absence of State requirements for workers to participate in ongoing training.

**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 an Area Needing Improvement because the CFSR found that although Wisconsin has developed a strong training curriculum for foster parents and makes this curriculum available to the counties, neither pre-placement nor ongoing training for foster parents is State mandated. Consequently, there are some counties in which training for foster parents is minimal.

According to the Statewide Assessment, county agencies and the BMCW typically provide foster parent training for the foster parents licensed by county agencies. Adoptive parents often begin as foster parents and receive additional training through the State Special Needs Adoption Program (SNAP). The Statewide Assessment notes that “. . . emphasis is being placed on foster care providers completing comprehensive pre-service training.” This pre-service training is a competency-based curriculum for foster parents, one version of which is called PACE. The curriculum emphasizes: (1) child safety; (2) family functioning, including the concepts underlying family support and preservation; (3) fostering partnerships between foster families and birth families; (4) permanency planning with an emphasis on the preferred goal of family reunification; and (5) children’s need for stability and security. Counties can receive pass-through funds from the State to implement the competency-based training program, but they are not mandated to implement it.

As noted in the Statewide Assessment, group homes and residential care centers provide training to their staff in accordance with the standards set for facilities based on staff position descriptions and training requirements. Treatment foster care agencies are responsible for providing training to treatment foster parents, who must meet State foster home licensing requirements. The training requirements for staff are specified in State licensing administrative rules.

The Statewide Assessment provides a detailed description of the BMCW Out-of-Home Care (OHC) training program for foster care providers. It notes that this program ensures that prior to the placement of children in a newly licensed foster home, foster parents have successfully completed the Pre-Placement education program. Foster families are required to complete 36 hours of core competency training; this includes families who have been identified as adoptive and foster/adoptive families. The Milwaukee Adoption program provides training for adoptive parents through the Special Needs Adoption Network. Foster parents who adopt receive an abbreviated version (16 hours) of the curriculum. The training mirrors the core curriculum for social workers.

Participation in training by Milwaukee foster parents is maintained in the WiSACWIS system by the OHC program. The OHC program verifies with the applicant or newly licensed foster home of their participation in the training program and confirms participation with the training program.

Most State-level, Milwaukee, and Outagamie stakeholders commenting on the issue of foster parent training reported that the training has improved since the State adopted the competency-based program. Stakeholders said that in some counties, the training is accessible, although lack of child care for foster parents is a barrier to their ability to attend training. However, State-level stakeholders indicated that the competency-based curriculum is used by only about 50 percent of the counties in the State. These stakeholders expressed concern about the fact that in many counties there is no requirement for ongoing training for foster parents, and in some counties, there are only limited preservice training requirements. In contrast, Kenosha County stakeholders reported that in that county, all foster parents must attend required training prior to licensure and must participate in 20 hours of ongoing training.

### VIII. SERVICE ARRAY

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

Wisconsin is not in substantial conformity with the systemic factor of Service Array. The CFSR determined that the State does not have in place an array of services to address the needs of children and families to enable children to remain safely with their parents when reasonable and to help children in foster and adoptive placements achieve permanency. The CFSR also found that services are not accessible to families and children in all political jurisdictions. A key concern identified by stakeholders is that the State does not provide the counties with the level of funds to maintain the basic required child welfare services. In addition, stakeholders report that counties that have access to local funds can provide the services, but those that do not have access to sufficient local funds cannot provide the services.

Despite these concerns, the findings of the CFSR indicate that Wisconsin has a network of services providers who work in collaboration with the local agencies and the BMCW to individualize services to meet children’s and families’ unique needs.

**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                      \_\_\_X\_\_\_ Area Needing Improvement

Item 35 is rated as an Area Needing Improvement because the State does not have in place an array of services to address the needs of children and families to enable children to remain safely with their parents when reasonable and to help children in foster and adoptive placements achieve permanency. The CFSR found that there are gaps in services available to families, such as dental and mental health services, and that service needs are not being met on a consistent basis.

As noted in the Statewide Assessment, part of the Statewide array of programs includes the Temporary Emergency Food Assistance Program, the Community Services Block Grant Community Action Agencies, and Promoting Safe and Stable Families (PSSF). In addition, county agencies receive State funds to support the delivery of prevention, early intervention, and ongoing assistance services necessary to ensure children's safety and permanency. These services are available Statewide, although counties have developed individualized service strategies based on the needs of the population and the availability of service providers. Key services provided Statewide include family preservation and family reunification services under PSSF.

Stakeholders commenting on the issue of service array during the onsite CFSR expressed the opinion that while some services are available, there are considerable service gaps. They also noted that the gaps may be increasing as budget cuts go into effect.

Stakeholders identified the following service gaps in the State:

- Dental care providers who will accept Medical Assistance payments
- Mental health providers for children who will accept Medical Assistance payments
- Treatment and placement resources for children with behavior problems
- Prevention and early intervention programs
- Substance abuse treatment for adults and adolescents (inpatient and day programs)
- Culturally appropriate services, including bilingual services for Spanish-speaking families
- Post-adoption services
- Housing options
- Housing assistance for youth making the transition from foster care to independent living.

**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 information from the CFSR indicates that services are not accessible to families and children in all political jurisdictions. A key concern identified by stakeholders is the State does not provide the counties with enough funds to pay for the basic required child welfare services, and that counties that have access to local funds can provide the services, but those that do not have access to sufficient local funds cannot provide the services.

According to the Statewide Assessment, counties have developed individualized service strategies based on the needs of the population and the availability of service providers. The Statewide Assessment also notes that although child welfare services are accessible and available Statewide, the level of quality is not consistent across counties. As indicated in the Statewide Assessment, it is becoming increasingly challenging, given the growing need for services and rising costs of services, to provide the staffing and service levels needed by the families in the child welfare system.

Stakeholders commenting on this issue were in general agreement that services are not accessible to families and children in all political jurisdictions covered in the State. A key concern identified by State-level stakeholders was that the State does not provide the counties with sufficient funds for child welfare services, even for the services that the State requires the county to provided. Stakeholders noted that counties often must contribute a significant amount of local funds to offset limited State funding and ensure that a full array of services is accessible. However, not all counties have sufficient funds to do this. Consequently, an adequate array of child welfare services may be readily available in some counties but not in others.

Stakeholders also reported that almost all jurisdictions in the State experienced difficulties accessing some services. Stakeholders noted that many services have waiting lists, including prevention network services, parent services, and adult substance abuse and mental health. Mental health services and dental services, in particular, were noted as difficult to access in some localities. One stakeholder noted that some families may need to travel 300 miles to access mental health service providers willing to accept Medical Assistance payments. Other barriers to accessing services included: (1) lack of transportation (even in urban areas); (2) lack of Spanish-speaking resources and dependence on interpreters; (3) immigration status of families (e.g., ‘mixed status’ families of undocumented parents and U.S. citizen children); and (4) a lack of providers who will accept Medicaid/managed care payments.

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

Strength                       Area Needing Improvement

Item 37 is rated as a Strength because the CFSR determined that Wisconsin has a network of services providers who work in collaboration with the local agencies and the BMCW to individualize services to meet children’s and families’ unique needs.

According to the Statewide Assessment, there is a firmly established network of service providers working collaboratively with county agencies and the BMCW. These service networks include specific resources designed to meet the individualized needs of families based on the current case plan and/or progress evaluation. Wisconsin also has developed the Brighter Futures Initiative (BFI), which draws multiple funding streams for at risk youth into one program. The program is currently operating in nine pilot counties. Each county BFI plan includes the PSSF program, making available a comprehensive array of flexible and adaptable services to meet the unique needs of the children and families in each county.

Stakeholders in each of the three sites included in the onsite CFSR cited examples of successful efforts to individualize services to meet children’s and families’ unique needs. This included wraparound services in Outagamie County, the use of Service Coordination Teams in Kenosha County, and the use of network service organizations in Milwaukee County. State-level stakeholders, however, expressed concern that there is a lack of culturally appropriate services for Native American children and families.

**IX. AGENCY RESPONSIVENESS TO THE COMMUNITY**

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

Wisconsin is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. The CFSR determined that DCFS develops annual reports of progress and services in conjunction with representatives of their Executive Steering Committee (ESC) and that Wisconsin’s services under the CFSP are coordinated with services of other Federal or federally-assisted programs that serve the child welfare population. However, CFSR findings also indicate that there is a need for a clearly delineated and structured consultation process that allows for Tribal and other stakeholders to provide input into the goals and objectives of the CFSP.

**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                        X   Area Needing Improvement

Item 38 is rate as an Area Needing Improvement because information from the CFSR indicates that there is a need for a clearly delineated and structured consultation process that allows for Tribal and other stakeholders to provide input into the goals and objectives of the CFSP.

According to the Statewide Assessment, DCFS engages in ongoing communication, coordination, and collaboration with its funding sources and its key stakeholders. The input of stakeholders is actively sought by DCFS and is used in DCFS strategic planning. Some of the stakeholders with which DCFS consults are the following: the Wisconsin Foster/Adoptive Parent Association, the Wisconsin County Human Services Association, the Great Lakes Inter Tribal Council, and the Office of State Courts. In Milwaukee County, a Partnership Council consisting of representatives from State and local government, the courts, service providers and other key stakeholders meet regularly to discuss Milwaukee County child welfare program issues. The BMCW provides the Partnership Council with regular reports on program activity in Milwaukee County. In addition, Wisconsin currently has Citizen Review Panels in three counties: LaCrosse, Marathon and Outagamie County. DCFS has been meeting with the panels to discuss membership and function. DCFS is also exploring options to establish Citizen Review Panels in other counties.

Stakeholders commenting on this issue during the onsite CFSR expressed differing opinions on DCFS’s efforts to consult with key stakeholders in developing the goals and objectives of the CFSP. Some stakeholders noted that DCFS has strong community relationships and is committed to building effective partnerships for training and service delivery (i.e., with Tribes, universities, law enforcement, mental health, education, and juvenile justice systems). However, other stakeholders identified a number of concerns. One concern was that although there is a member of the Great Lakes Inter Tribal Council on the Child Welfare Executive Steering Committee, not all of the Tribes are members of this council. Another concern identified was that stakeholder participation in the development of the CFSP is limited in scope and there has been no public comment on the draft prepared by DCFS and reviewed by the Steering Committee. Finally, stakeholders reported that although the State has recently increased its efforts to engage Tribal representatives in DCFS activities (including a joint training effort), DCFS has not solicited input from the Tribes on the goals and objectives of the CFSP.

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

Strength                       Area Needing Improvement

Item 39 was rated as a Strength because DCFS develops annual reports of progress and services in conjunction with representatives of their Executive Steering Committee (ESC). The ESC is involved with the collaborative planning structures for program planning.

According to the Statewide Assessment, the DCFS uses a program planning process that requires local agencies to solicit community and program participant input for establishing service priorities and service strategies. Through local PSSF program planning committees, or other coordination mechanisms, local agencies have established collaborative planning structures to provide input into local program planning.

State-level stakeholders noted that the Executive Steering Committee is briefed on a quarterly basis about issues and progress. Some State-level stakeholders said that all the Tribes in the State should be informed about Tribal title IV-B subpart 1 and 2 plans.

**Item 40. The State’s services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.**

Strength                       Area Needing Improvement

Item 40 is rated as a Strength because Wisconsin’s services under the CFSP are coordinated with services of other Federal or federally assisted programs that serve the child welfare population. Some of the coordinated services are listed in the Statewide Assessment and identified by stakeholders interviewed during the onsite review. Although the Statewide Assessment stated that efforts are needed to coordinate child welfare services with other Federal programs, such as the Temporary Assistance to Needy Families and the Federal child support, information obtained during the CFSR indicates that Wisconsin has created initiatives such as the Coordinated Services Team Initiative and the Managed Health Care Initiative to address the coordination of services issue.

According to the Statewide Assessment, Wisconsin has created several initiatives that support coordination of services among a wide array of entities. Examples include:

- Coordinated Services Team (CST) Initiative
- Managed Health Care Initiative
- CPS/Domestic Violence Collaboration

As noted in the Statewide Assessment, continued efforts are needed to coordinate child welfare services with other programs. One example of an area needing further coordination is the relationship between DCFS and child support agencies. This would support the early establishment of paternity so that fathers and paternal relatives can be more actively involved in child welfare cases. At a broader level, a priority for DCFS and the entire DHFS will be to integrate services for families, such as services provided through TANF and child welfare agencies, to attain the best use of resources in complementary efforts for the success of families.

Stakeholders commenting on this issue expressed the opinion that services generally are well-coordinated between DCFS and the counties, Tribes, and private service providers. State-level stakeholders noted that locally-coordinated service plans and teams are effective. They also noted that counties have consolidated human service departments, which allows for greater service integration. State-level stakeholders also reported that more multi-county efforts are in place to coordinate services (e.g., for managed care). Some stakeholders expressed concern with the lack of communication between agencies to coordinate services and benefits (e.g., TANF funds, Tribal notification). State-level stakeholders suggested that the confidentiality issue is a barrier to improving coordination.

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

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

Wisconsin is in substantial conformity with the systemic factor pertaining to Foster and Adoptive Parent Licensing, Recruitment and Retention. The CFSR determined that Wisconsin has standards for foster family homes and child care institutions that are in accord with recommended national standards and that are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds. In addition, CFSR findings indicate that Wisconsin generally enforces the provisions of criminal

background checks to ensure that clearances relating to licensing or approving foster care and adoptive placements address the safety of foster care and adoptive placements for children.

Information from the CFSR also indicates that the State has established 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. However, stakeholders reported that further efforts are needed to develop a process for the effective use of cross-jurisdictional resources facilitating timely adoptions and permanent placements for waiting children.

Findings pertaining to the specific items relevant to this factor are presented and discussed 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 the CFSR determined that Wisconsin has standards for foster family homes and child care institutions that are in accord with recommended national standards.

According to the Statewide Assessment, under Wisconsin law, an unrelated person who provides care and maintenance for children must be licensed. The licensing process was described in the Statewide Assessment as the primary method used by Wisconsin to assess the appropriateness of a family or institution as a resource for the provision of out-of-home care services to children who have been ordered by the court to be removed from their homes. Out-of-home care providers in Wisconsin include: (1) shelter care facilities; (2) family foster homes (including adoptive homes); (3) treatment foster homes (both family and shift-staffed); (4) group foster homes (both family-operated and corporate); and (5) residential care centers for children and youth.

Licenses for all of the various types of out-of-home care may be issued for a period of up to 2 years. DCFS and each county and private child placing agencies have identified specialized staff whose responsibilities include the licensure of out-of-home care facilities. All potential foster families must be assessed using a formal assessment process. The Department recommends, but does not require, the use of the Foster Family Assessment system developed for the State by ACTION for Child Protection.

The re-licensure process involves an updated assessment of the caregivers to determine if there have been any changes that might have an impact on the license or the children placed in the facility. Monitoring of county agencies is conducted to ensure the timeliness of re-licensure activities as part of overall quality assurance efforts.

Stakeholders commenting on this issue affirmed that standards are in place for foster family homes. Although the Tribes have different standards for licensing, stakeholders reported that “full faith and credit” is applied to these homes by county agencies. Stakeholders noted that sufficient training, frequent visits, and quick revocation of licenses are effective practices to maintain child safety and uphold standards.

**Item 42. The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.**

Strength                       Area Needing Improvement

Item 42 is rated as a Strength because the Wisconsin review revealed that licensing standards are being applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.

According to the Statewide Assessment, foster home licensing standards for relatives and non-relatives apply equally to all potential foster homes, regardless of the provider’s relationship to the child. A county or private child placing agency may grant exceptions to certain aspects of the licensing rules if the exceptions are not contrary to the health, safety, and welfare of a child. To this end, the DCFS has issued an annotated version of the licensing rule that describes situations in which an exception may be appropriate. Exceptions to other aspects of the rules can only be granted by the DCFS, which results in a uniform application of the licensing standards.

Stakeholders commenting on this issue for the onsite CFSR indicated that the standards are applied equally to licensed foster families and licensed relative homes. However, they also noted that children may be placed in unlicensed relative homes before DCFS has conducted a criminal background check on the relative caregiver. State-level stakeholders acknowledged that in licensing relative placements, agencies may allow for “stretching” of licensing requirements, particularly concerning space requirements, but that no other exceptions are allowed compared with non-relative foster homes.

**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 Wisconsin generally enforces the provisions of criminal background checks to ensure that clearances relating to licensing or approving foster care and adoptive placements address the safety of foster care and adoptive placements for children.

According to the Statewide Assessment, the Caregiver Background Law, implemented in October 1998, requires criminal background checks on all new hires. It also requires new checks on those persons already possessing licenses to provide care to children by February 1, 2000. This law also expanded the restrictions on licensure to include any substantiated findings of abuse or neglect of a client made by a child welfare agency regardless of criminal charges or convictions. Provisions also were made in the law to allow certain individuals affected by these restrictions to have their situations reviewed on a case-by-case basis to determine if they continued to be a risk to children or vulnerable adults. Applicants for licensure must also provide information regarding prior license revocations or administrative actions by a licensing DCFS, in addition to criminal convictions. This provision ensures that individuals who were not convicted of a criminal offense but were nevertheless determined to have neglected or abused a child or client in their care, or who have otherwise had their ability to care for children and vulnerable adults restricted, can be identified prior to licensure.

The Statewide Assessment notes that the State has arranged for background checks to be channeled through the Department of Justice to minimize the number of different jurisdictions and courts that must be contacted to obtain reliable information. The DCFS Bureau of Regulation and Licensing (BRL) includes a review of criminal background checks as part of its regular quality assurance review of child placing agencies.

Stakeholders commenting on this issue during the onsite CFSSR were in general agreement that criminal background checks are done for all adults in the home and for children over the age of ten in licensed foster homes. Stakeholders reported that the process is thorough, and scrutinizes a potential caregiver's state/local criminal background and child protective service history. However, some stakeholders indicated that criminal background checks were not routinely conducted on relative caregivers.

**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.**

  X   Strength                           Area Needing Improvement

Item 44 is rated as a Strength because the CFSR determined that the State has established 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.

As noted in the Statewide Assessment, the process for recruiting foster and adoptive homes in Wisconsin is a joint effort between the counties, private child placing agencies, and the DCFS. The State’s Special Needs Adoption Program (SNAP) has taken a lead role in working with licensing and recruiting entities to ensure that recruitment strategies are developed to recruit a diverse pool of adoptive families.

The SNAP annually identifies targeted recruitment strategies. Where specialized recruitment efforts are needed, children are photo listed on both the State and Federal web sites. Wisconsin allows photo listing with a court order prior to TPR. Local groups and organizations are also used to help locate adoptive resources. In addition, due to the partnership between the State adoption program and private adoption agencies, the State has been able to use publications from the private agencies to recruit from within DCFS networks of families and churches that have been involved in infant and international adoption. The Multi-Ethnic Placement Act (MEPA) requires that States not create barriers to the placement of children across ethnic groups. The law also requires that States monitor their MEPA compliance to ensure that no barriers to timely placement are put in place through statute, policy or practice.

State data show that of the children in out-of-home care (point-in-time analysis), Caucasian children account for 42 percent of children in care, African-American children account for 51 percent, Native American children for slightly over 3 percent, and Asian children for about 1 percent. Children of Hispanic ethnicity account for about 5.5 percent of children in foster care. Children of color, particularly African-American children, are over-represented in the out-of-home care population compared to their representation in the State’s child population. This over-representation is more pronounced when looking at entry data.

Several stakeholders commenting on the issue of recruitment during the onsite CFSR reported that there is a need for more African-American, Hmong, and Native American foster homes. Some stakeholders indicated that the State is attempting to increase the number of these homes through targeted recruitment efforts (e.g., focusing on churches, the home community, print and electronic media). Stakeholders reported that word-of-mouth recruitment is effective and that referrals from current foster families are an important source of new foster homes, given the limited dollars available to each county for recruitment activities. However, some

stakeholders identified the level of Wisconsin’s basic foster care rate and the lack of increases to this rate as negatively impacting the recruitment of foster parents.

**Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.**

Strength       Area Needing Improvement

Item 45 is rated as an Area Needing Improvement because further efforts are needed to develop a process for the effective use of cross-jurisdictional resources facilitating timely adoptions and permanent placements for waiting children.

According to the Statewide Assessment, the Wisconsin County Human Services Association is developing an inter-county agreement that addresses jurisdiction and case transfer issues. While this agreement does not have the force of law, it is designed to serve as a model for counties statewide.

Stakeholders commenting on this issue noted that efforts to improve cross-jurisdictional placements within the State have improved in the past few years. While there is a strong inclination to keep children close to families, stakeholders observed that further efforts are needed to develop protocols and working relationships that will facilitate cross-jurisdictional transfers and timely placements across county lines.