

# DFPS SAFETY PLAN FOR CHILDREN IN FOSTER CARE

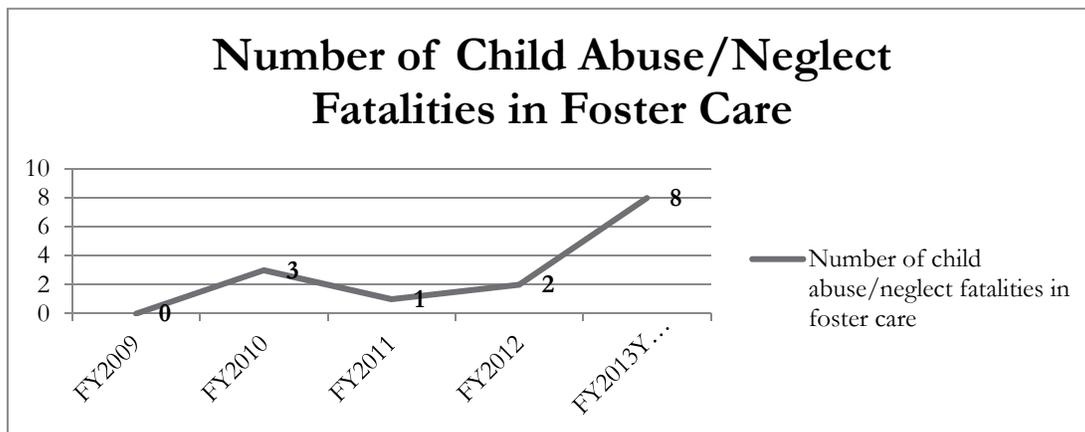


Protecting children is the core mission of the Child Protective Services (CPS) and during the past year Department of Family and Protective Services Commissioner, Judge John Specia, has directed that those efforts be intensified, and has put immediate improvements in place. Child abuse and neglect-related child fatalities in the general population appear to have declined from fiscal year 2012 to fiscal year 2013<sup>1</sup>. But, it is important to note that child abuse deaths in the general population can vary from year to year, for unknown reasons. While there is a decrease in abuse and neglect-related fatalities in general, abuse and neglect-related fatalities in foster care have increased sharply.

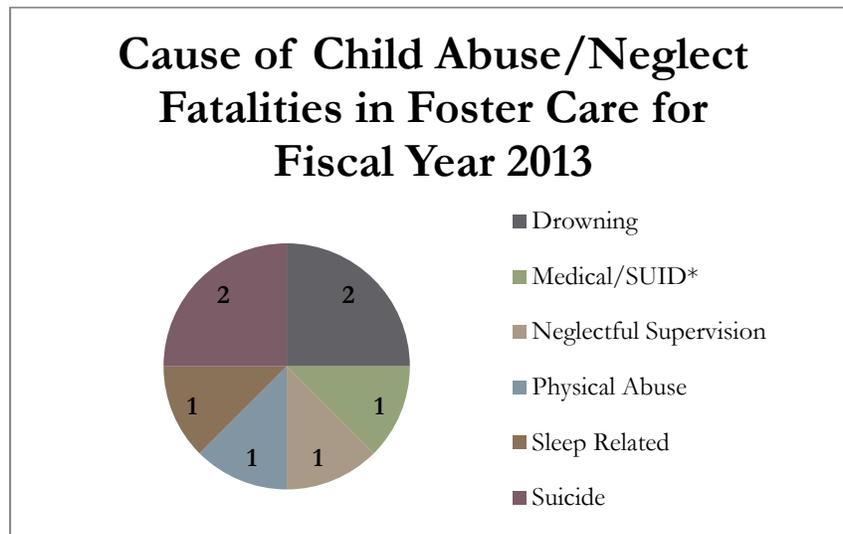
This increase in fatalities of children in foster care is not acceptable. The goal of this safety plan is to address preventable deaths of children in foster care.

## BACKGROUND

In fiscal year 2012, two child fatalities in foster care were the result of abuse or neglect. In fiscal year 2013, that number has already more than tripled: seven deaths in foster care were the result of neglectful supervision, one was the result of physical abuse, and one is pending fatality investigations where neglectful supervision is likely the cause. The charts below demonstrate the increase in fatalities in foster care and the number of fatalities by cause:



<sup>1</sup> There were 212 in FY 2012 and 130 so far in FY 2013 with 85 investigations pending.



\*SUID is sudden unexplained infant death.

Both the number of children in the general population and number of children foster care has increased in the past five years. During this time, the Texas child population has increased an estimated 13 percent; over the same time period, the number of children in the Department of Family and Protective Services (DFPS) substitute care has increased about 11 percent and those in foster care increased four percent. This trend indicates that the growth in population and the growth in number of children in care is only a very minor contributing factor to number of child fatalities.

Because 90 percent of children in foster care are placed with private providers, the way we regulate, interact with and monitor those providers must be closely examined. DFPS is approaching the issue by researching options to update regulations, contract requirements and/or policy. There are specific categories that we are focusing improvements on, including:

- Children with medical needs;
- Children in kinship placements;
- Safety responsibilities of providers; and
- Safety responsibilities of DFPS.

This plan discusses improvements aimed at the safety of children in foster care. In addition, DFPS is targeting safety improvements in other divisions that touch the lives of children before they come into foster care including: investigations, prevention and early intervention, and daycares.

## Children with Medical Needs

When the number of medical and sudden unexplained infant fatalities was rising last year, DFPS conducted an analysis of all child fatalities in foster care that occurred during fiscal year 2013 looking for patterns or risk factors related to these deaths. Results of that analysis reflect that children with primary medical needs (PMN) or developmental delays are particularly vulnerable because of the complexities of their care and their higher level of need. Children with PMN require significant supports; they may not be able to breathe without a mechanical support, or eat without a feeding tube. As of September 30, 2013, 178 children in foster care were primary medical needs.

Children with intensive medical needs are seen routinely by a number of individuals, foster parents, medical staff, caseworkers, Child-Placing Agency (CPA) case managers, and teachers, among others. The number of professionals who interact with these children makes it all the more concerning when abuse or neglect is not immediately identified and addressed.

### ➤ *Action Items:*

- Child Care Licensing (CCL) and CPS executive management reviewed policies and regulations relating to PMN children. There are multiple regulatory changes we will propose to improve care of this vulnerable population including increasing unannounced visits to foster homes by CPA staff.
- A memo from Judge Specia emphasizing safety, particularly for children with special needs, was sent to all Child-Placing Agencies explaining the agency's expectations of foster parents.
- All residential contractors were sent a memo reminding them of the protocols that should be in place to ensure quality of care for children with PMN; identifying the expectations for those who accept children with these needs into their care.
- A "safety recognition card" on appropriate care for children with PMN was sent to CPA staff to assist them when investigating or visiting a home where children with primary medical needs reside. DFPS is also printing small, palm-size safety cards for CPA workers to carry with

them. DFPS will deliver and discuss these safety reminders during monitoring inspections.

DFPS will:

- Develop a “safety recognition card” for DFPS staff to ensure they recognize and rectify safety risks in PMN homes. The safety reminders on this card will be incorporated into our current trainings and practice.
- Create a version of the “safety recognition card” for caregivers. We will distribute the cards and discuss with the caregivers as we are in their homes.
- Amend DFPS rules to put appropriate limitations on the number of PMN children who can be placed in one home.
- Implement appropriate, viable recommendations from the upcoming child safety forums.
- Increase training for Human Services Technicians (HST), who often transport children to services, to enhance their abilities to recognize, assess, and address child safety. Because HSTs are an additional set of eyes on children, they serve as another opportunity to observe and ensure that child’s safety.

## **Children in Kinship Placements**

Kinship care is an important option for children in foster care. “Kinship care” is the term used to describe residential care in which children, who are no longer able to live with their own parents, are cared for by relatives or other people that have a significant relationship with the child or the child’s family. Kinship placements meet children’s needs for safety while preserving connections to family, community, and culture. At the end of September 2013, there were 11,191 children in kinship care.

Generally, children in kinship placements have shorter stays in care, fewer placement disruptions, and better outcomes compared to children in paid non-kinship foster care. However, kinship placements may not be regulated or have to adhere to minimum standards. Kinship caregivers may choose to be licensed as foster care providers, however, historically, the vast majority of kinship caregivers have provided

care to children without licensure, though a home study and background checks are conducted to ensure child safety.

Child fatalities in kinship settings have historically been low compared to traditional foster care. However, child fatalities in kinship care are higher this year than last with four deaths in kinship placements in fiscal year 2013 compared to no deaths in fiscal year 2012. All four of these deaths were related to a lack of proper supervision. We currently do not regularly share our safety initiatives with kinship caregivers. Nor do we have a breadth of information in the kinship manual on the topic of safety. We will improve our policies and communications on safety, identifying risks, and proper supervision in kinship care.

➤ ***Action Items***

DFPS will:

- Immediately conduct a Safety Action Plan for kinship homes starting in Region 7. Through this Safety Action Plan we will increase the number of unannounced visits in kinship homes with very young children and conduct a review of regular and frequent visitors, as defined by Residential Child Care Licensing (RCCL) minimum standards, to ensure that CPS is aware of these visitors and that appropriate background checks have been completed.
- Update our home study for kinship placements to ensure that caseworkers discuss safety and how to recognize risks during the family's home study. That discussion will include the importance of proper supervision, how to keep your gun safe and away from children, and "situational" safety, like how to be safe around water.
- Apply appropriate, recommendations from the upcoming child safety forums changes to our DFPS procedures in kinship care.
- Update the kinship manual provided to all kinship caregivers to include more information on ensuring child safety.
- Communicate with kinship care providers regularly with safety reminders including DFPS safety campaigns.
- Review kinship policies, procedures, and rules to ensure that they are up-to-date and that safety is emphasized.

- Determine a percentage of kinship families caring for children under the age of five for face-to-face visits each month. These visits will be in addition to the caseworker's monthly visit and will place another individual in the home who can check on the safety and well-being of the children in that home.

## Safety Responsibilities of Providers

Private CPAs and other private providers care for about 90 percent of children in paid foster care. Therefore, any improvements to safety must involve providers.

Judge Specia is bringing provider CEOs and key staff together in a series of forums to gather ideas and best practices around the topic of child safety. The forums provide opportunities for DFPS, CPAs, and General Residential Operations (GROs) to have an honest conversation about best practices around the provision of safe, nurturing care to children who have suffered abuse or neglect. We expect that action items, such as policy, procedure, training, and contract amendments, and minimum standards changes, will result from these forums. Information from the forums will be published and shared with all residential providers.

Forums will be held in the following locations:

Dates	Locations
October 24, 2013	Dallas/Ft. Worth – Resource Connection: Magnolia Room
November 6, 2013	Austin – Winter's Public Hearing Room
November 14, 2013	El Paso - Juvenile Justice Center
December 6, 2013	San Antonio – St. PJ's
December 12, 2013	Houston –DePelchin
December 16, 2013	Lubbock - Broadway Church of Christ

We are not just relying on Texas providers for ideas, we are seeking national resources. DFPS executive staff and child safety specialist are attending a national

child safety forum hosted by Casey Family Programs in October 2013. This forum will bring together national experts and child welfare leaders to discuss child safety.

➤ ***Action Items***

DFPS will:

- Amend policy, procedure, training, contracts, and minimum standards, based on the results from these forums.
- Review the availability and use of emergency respite care.
- Revise policy to increase the number of unannounced foster home visits by the provider each year.
- Require that caseworkers interview grown, adult children of potential foster parents before verification, in order to better understand the quality of the home.
- Begin regularly emailing foster parents directly with information about safety campaigns and regular updates on safety.
- Develop a “benchmark” of providers. The idea is that we could collect and disseminate aggregated provider data to providers. This should give providers statewide context for their performance and likely improve it.

## **Safety Responsibilities of DFPS**

When there is a fatality in foster care, traditionally DFPS awaits results of the RCCL investigation before acting to limit a provider. Moving forward, when there are concerns or questions about a fatality, DFPS will immediately take action.

➤ ***Action Items***

DFPS will:

- Immediately initiate Safety Action Plan for foster and adopt homes, starting in Region 7. Through this Safety Action Plan we will increase the number of unannounced visits in foster/adopt homes with very young children and conduct a review of regular and frequent visitors, as defined by RCCL minimum standards, to ensure that CPS is aware of these visitors and that appropriate background checks have been completed.

- Immediately perform child safety checks to ensure safety of the children in the provider's homes and look for any systematic issues that could be safety risks.

DFPS is also restructuring our training on child safety to ensure that the caseworkers can spot and address safety concerns when they walk into a home. This should improve our staff's ability to identify and diagnose safety issues. Training will also focus on better communication between CPA and CPS staff who are regularly in foster homes.

➤ ***Action items in other areas of DFPS:***

- CPS hired the specialist responsible for revising child fatality protocols, policies, procedures. This work is underway with aggressive timelines for completion.

DFPS will:

- Beginning in calendar year 2014, produce quarterly trend reports on child deaths from abuse and neglect. This will be a new tool to help us identify and fix concerning trends.
- Increase communication with substitute caregivers by updating them, at least quarterly, on any new best practices for caregiving and any timely safety initiatives.
- Create a new page for our website dedicated solely to child safety. This page will include data as well as information for child care providers on how to enhance the safety of children in their care.
- Conduct, on November 7, a statewide training refresher on safety for all CPS foster/adopt staff.
- Conduct a contract monitoring audit. The preliminary objectives of the audit are to assess the process for evaluating contractor (residential provider) performance, with a focus on desired outcomes around child safety and well-being. Findings from the audit will be addressed and recommendations will be implemented as appropriate.

DFPS has a coordinated and ongoing effort to enhance child safety with a focus on the most vulnerable children: children in foster care, children with medical needs and children who are very young. Safety is our number one priority and responsibility. Using this plan as a guide, we can tailor the approach to strengthen child safety and aim to prevent future harm to at-risk children.

DFPS touches the lives of children in many ways beyond foster care. We have several initiatives including enhancing family-based safety services, targeting illegal daycares, implementing a progressive prevention and early intervention plan, public service announcements, and engaging our community partners to prevent abuse and neglect. Judge Specia and the staff of the Department of Family and Protective Services want to keep children safe and prevent child fatalities. We take our charge as the child protection agency very seriously and mourn the loss of each of Texas's children. While many child safety efforts are already underway at the agency, we are strengthening the existing plans and continue to find new, better ways to keep kids safe.