

**Final Report
Texas Child and Family Services Review
February 2009**

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

INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the State of Texas. The CFSR is the Federal Government's program for assessing the performance of State child welfare agencies with regard to achieving positive outcomes for children and families. It is authorized by the Social Security Amendments of 1994 requiring the U.S. Department of Health and Human Services (HHS) to promulgate regulations for reviews of State child and family services programs under titles IV-B and IV-E of the Social Security Act. The CFSR is implemented by the Children's Bureau (CB) of the Administration for Children and Families (ACF) within HHS.

The Texas CFSR was conducted the week of March 24, 2008. The period under review was from October 1, 2006, to March 28, 2008. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the Texas Department of Family and Protective Services (DFPS)
- The State Data Profile, prepared by CB, which provides State child welfare data for fiscal year (FY) 2005, FY 2006, and the 12-month CFSR period ending March 31, 2007
- Reviews of 65 cases at three sites throughout the State (31 cases in Harris County, 17 cases in Dallas County, and 17 cases in El Paso County)
- Interviews or focus groups (conducted at all three sites and at the State level) with stakeholders, including, but not limited to, children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, service providers, court personnel, Tribal representatives, and attorneys

All 65 cases reviewed onsite were open child welfare agency cases at some time during the period under review. The key characteristics of the 65 cases reviewed are presented in the Table of Key Characteristics on the following page.

The first section of the report (Section A: Outcomes) presents the CFSR findings relevant to the State's performance in achieving specified outcomes for children in the areas of safety, permanency, and well-being. For each outcome, there is a table presenting the data for the case review findings and national indicators (when relevant). The table is followed by a discussion of the State's status with regard to substantial conformity with the outcome at the time of the State's first CFSR review, the State's status relevant to the current review, and a presentation and discussion of each item (indicator) assessed under the outcome. Differences in findings across the sites included in the Onsite Review are described when noteworthy. Variations in outcome and item ratings as a function of type of case (i.e., foster care or in-home services) also are identified when appropriate. The second section of the report (Section B: Systemic Factors) provides an assessment and discussion of the systemic factors relevant to the child welfare agency's ability to achieve positive outcomes for children.

Table of Key Characteristics

Case Characteristics	Foster Care Cases	In-Home Cases
When case was opened/child entered foster care		
Opened prior to the period under review	29 (73%)	10 (40%)
Opened during the period under review	11 (27%)	15 (60%)
Child entered foster care during the period under review	13 (33%)	*
Child's age at start of period under review		
Younger than age 10	18 (45%)	*
At least 10 but younger than 13	5 (12.5%)	*
At least 13 but younger than 16	9 (22.5%)	*
16 and older	8 (20%)	*
Race/Ethnicity		
African-American (Non-Hispanic)	11 (27.5%)	*
White (Non-Hispanic)	9 (22.5%)	*
Hispanic (of any race)	18 (45%)	*
Two or more races (Non-Hispanic)	2 (5%)	*
Unable to determine	0	*
Primary reason for opening case		
Neglect (not including medical neglect)	12 (30%)	12 (48%)
Physical abuse	12 (30%)	5 (20%)
Sexual abuse	2 (5%)	2 (8%)
Medical neglect	0	2 (8%)
Child's behavior	1 (2.5%)	0
Emotional maltreatment	1 (2.5%)	0
Substance abuse by parent	3 (7.5%)	2 (8%)
Substance abuse by child	0	0
Domestic violence in child's home	1 (2.5%)	1 (4%)
Abandonment	7 (17.5%)	0
Mental/physical health of the parent	0	1 (4%)
Other	1 (2.5%)	0

*Information on these characteristics for in-home services cases is not provided because all children in the family are considered in these cases.

SECTION A: OUTCOMES

In this section, Outcomes Section A of the CFSR Final Report, an overall rating of Strength or Area Needing Improvement (ANI) is assigned to each of the 23 indicators (items) reviewed. An item is assigned an overall rating of Strength if 90 percent of the applicable cases reviewed were rated as a Strength. In addition to the item ratings, States are evaluated with regard to performance on seven outcomes, each of which incorporates one or more of the individual items. The evaluation options for these outcomes are Substantially Achieved, Partially Achieved, and Not Achieved. In order for a State to be in substantial conformity with a particular outcome, 95 percent of the cases reviewed must be rated as having substantially achieved the outcome. Two outcomes—Safety Outcome 1 and Permanency Outcome 1—also are evaluated based on State performance on six national data indicators. In order for a State to be in substantial conformity with these outcomes, the national standards for each data indicator must be met as well as the case review requirements. A State that is not in substantial conformity with a particular outcome must develop and implement a Program Improvement Plan (PIP) to address the areas of concern identified for that outcome.

ACF has set very high standards of performance for the CFSR. The standards are based on the belief that because child welfare agencies work with our country's most vulnerable children and families, only the highest standards of performance should be considered acceptable. The standards are set high to ensure ongoing attention to achieving positive outcomes for children and families with regard to safety, permanency, and well-being. The goal of the CFSR is to promote continuous improvement in performance on these outcomes.

It should be noted, however, that States are not required to attain the 95-percent standard established for the CFSR Onsite Review at the end of their PIP implementation. CB recognizes that the kinds of systemic and practice changes necessary to bring about improvement in particular outcome areas often are time consuming to implement. Also, improvements are likely to be incremental rather than dramatic. Instead, States work with CB to establish a specified amount of improvement or implement specified activities for their PIP. That is, for each outcome or item that is an ANI, each State (working in conjunction with CB) specifies how much improvement the State will demonstrate and/or the activities that it will implement to address the ANIs and determines the procedures for demonstrating the achievement of these goals. Both the improvements specified and the procedures for demonstrating improvement vary across States. Therefore, a State can meet the requirements of its PIP and still not perform at the 95 or 90 percent level requirements of the CFSR.

The second round of the CFSR is intended to assess a State's current level of performance by once more applying the high standards and consistent, comprehensive case review methodology. The results of this effort are intended to serve as the basis for continued PIPs addressing areas in which a State still needs to improve, even though prior PIP requirements may have been achieved. The goal is to ensure that program improvement is an ongoing process and does not end with the closing of a PIP.

In the following sections, for each outcome assessed there is a discussion of how the State performed on that outcome in the first round. If the outcome was not substantially achieved during the first round of the CFSR, there is a discussion of the key concerns

identified at that time and the strategies implemented in the PIP to address those concerns. This discussion also focuses on whether the key concerns that emerged in the first CFSR continued to be present in the second review, or whether those concerns were resolved but other concerns emerged.

Because many changes have been made in the onsite CFSR process based on lessons learned during the first round and in response to feedback from the child welfare field, a State’s performance in the second round of the CFSR is not directly comparable to its performance in the first round, particularly with regard to comparisons of data indicators or percentages regarding Strength and ANI ratings. Key changes in the CFSR process that make it difficult to compare performance across reviews are the following:

- An increase in the sample size from 50 to 65 cases
- Stratification of the sample to ensure a minimum number of cases in key program areas, resulting in variations in the number of cases relevant for specific outcomes and items
- Changes in criteria for specific items to increase consistency and to ensure an assessment of critical areas, such as child welfare agency efforts to involve noncustodial parents

For the tables, figures displayed may not total 100 percent due to rounding.

I. SAFETY

Safety Outcome 1

Outcome S1: Children are, first and foremost, protected from abuse and neglect					
Number of cases reviewed by the team according to degree of outcome achievement					
	Dallas County	El Paso County	Harris County	Total Number	Percent
Substantially Achieved	7	5	7	19	61.3
Partially Achieved	1	3	2	6	19.4
Not Achieved or Addressed	2	1	3	6	19.4
Total Applicable Cases	10	9	12	31	
Not Applicable Cases	7	8	19	34	
Total Cases	17	17	31	65	
Conformity of statewide data indicators with national standards					
National Data Indicators	National Standard (%)		State’s Percentage	Meets Standard	
Absence of maltreatment recurrence	94.6		96.1	Yes	
Absence of maltreatment of children in foster care by foster parents or facility staff	99.68		99.55	No	

Status of Safety Outcome I

Texas is not in substantial conformity with Safety Outcome 1. The outcome was determined to be substantially achieved in 61.3 percent of applicable cases, which is less than the 95 percent required for a rating of substantial conformity. The outcome was substantially achieved in 70 percent of Dallas County cases, 58 percent of Harris County cases, and 56 percent of El Paso County cases. In addition to case review findings, although Texas met the national standard for the data indicator pertaining to the absence of maltreatment recurrence, the State did not meet the national standard for the data indicator pertaining to the absence of maltreatment of children in foster care by foster parents or facility staff.

Key Concerns From the 2002 CFSR

Texas also was not in substantial conformity with this outcome in its 2002 CFSR. In the 2002 CFSR, the outcome was substantially achieved in 86 percent of the cases. However, in the 2002 CFSR, Texas met the national standard for the measures pertaining to both maltreatment recurrence and maltreatment of children in foster care. Although both items assessed for this item were rated as a Strength, when taken together, they did not meet the 90 percent required for substantial achievement of the outcome. Texas was required to focus on this item in the PIP. The key concerns identified at that time were related to repeat maltreatment.

To address these concerns, Texas implemented the following strategies:

- Conducted periodic reviews of cases to monitor the timeliness and handling of repeat maltreatment referrals to ensure continued progress in safety issues
- Utilized the expertise of regional Risk Directors to improve responses to repeat maltreatment for the most vulnerable children

Texas met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

While Texas met the national standard for the measure pertaining to maltreatment recurrence in the 2008 CFSR, the State did not meet the national standard for the measure pertaining to maltreatment of children in foster care (as noted above). In addition, the 2008 CFSR case reviews found that both item 1 (timeliness of investigation) and item 2 (repeat maltreatment) were rated as ANIs.

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

Item 1. Timeliness of initiating investigations of reports of child maltreatment

Strength Area Needing Improvement

Case Review Findings

The assessment of item 1 was applicable for 31 (48 percent) of the 65 cases. Cases were not applicable when there were no 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 State child welfare agency policy requirements.

Texas DFPS policy for investigation timeframes is as follows:

- Investigations for all Priority I screened-in emergency reports must be initiated immediately or within 24 hours of the receipt of the report.
- Investigations for all Priority II screened-in nonemergency reports must be initiated within 72 hours of the receipt of the report.

The case review findings for this item are presented below.

Item 1	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	7	5	8	20	65
Area Needing Improvement	3	4	4	11	35
Total Applicable Cases	10	9	12	31	
Not Applicable Cases	7	8	19	34	
Total Cases	17	17	31	65	

Item 1 was rated as a Strength in 70 percent of applicable Dallas County cases, 67 percent of applicable Harris County cases, and 56 percent of applicable El Paso County cases.

Item 1 was rated as a Strength when the investigation was initiated and face-to-face contact was established with the child within the timeframes required by State policy or law. Item 1 was rated as an ANI when face-to-face contact was not established within the required timeframes. In 6 of the 11 cases rated as an ANI, the reports were nonemergency reports requiring a 72-hour response time to initiate the investigation. In all 11 cases, the investigation did not include face-to-face contact with the child within the mandated timeframe.

Rating Determination

Item 1 was assigned an overall rating of ANI. In 65 percent of the applicable cases, reviewers determined that the agency had initiated an investigation of a maltreatment report in accordance with the required timeframes. This percentage is less than the 90 percent required for an overall item rating of Strength. This item was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the timeliness of investigations was improved in 2007 by the following program initiatives: the introduction of tablet field personal computers (tablet PCs), the use of performance management reports, staff increases, and annual stipend payments to provide workforce incentives to investigation staff. The Statewide Assessment presents data showing that the percentage of investigations that met the timeframe increased from 84 percent in September 2006 to 95 percent in August 2007. The Statewide Assessment reports that, overall for FY 2007, 92 percent of Priority I investigations were initiated within the required timeframe and 87 percent of Priority II investigations were initiated within the required timeframe.

The Statewide Assessment reports that Texas utilizes the Federal CFSR process as a model to review a randomly selected sample of at least 360 cases each quarter to continuously monitor performance on each of the CFSR outcomes. According to the Statewide Assessment, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 77 percent of the cases.

The Statewide Assessment reports that, although Texas reduced caseloads from over 43 in 2005 to just over 25 in 2007, the State continues to struggle with the challenge of staff retention, especially in child protective services (CPS) investigations. The Statewide Assessment notes that, as a result of a revised selection process and improved training programs, the number of DFPS caseworkers who leave the agency within their first 6 months of employment has slightly declined from 14 percent in FY 2005 to 13.5 percent in FY 2006. To address the issue of high caseloads and staff retention, the Statewide Assessment reports that the following initiatives have been undertaken: the addition of a Screener caseworker to review cases involving victims who are 6 years old or older, a collaboration with the Forensic Assessment Center to improve the quality of initial assessments, and the introduction of a new safety assessment tool in May 2007.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that investigations are conducted in a timely manner and that the new timeframe for Priority II investigations has improved the timeliness of all investigations. In addition, stakeholders reported that DFPS enjoys a positive relationship with law enforcement agencies across the State, and that this relationship promotes the coordination and timeliness of investigations. Stakeholders interviewed also expressed the opinion that, although caseloads have decreased, the high rate of turnover among investigations staff raises concerns about the quality of investigations.

Item 2. Repeat maltreatment

Strength Area Needing Improvement

Case Review Findings

The assessment of item 2 was applicable for 21 (32 percent) of the 65 cases. Cases were not applicable for this item if there were no substantiated or indicated maltreatment report during the period under review. For all applicable cases, reviewers were to determine whether there had been a substantiated or indicated maltreatment report on the family during the period under review and, if so, whether another substantiated or indicated report involving similar circumstances had occurred within a 6-month period before or after that identified report. Information regarding the ratings for this item is provided below.

Item 2	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	6	7	5	18	86
Area Needing Improvement	0	1	2	3	14
Total Applicable Cases	6	8	7	21	
Not Applicable Cases	11	9	24	44	
Total Cases	17	17	31	65	

Item 2 was rated as a Strength in 100 percent of applicable Dallas County cases, 88 percent of applicable El Paso County cases, and 71 percent of applicable Harris County cases.

Item 2 was rated as a Strength when there was no indication of two or more substantiated or indicated maltreatment reports on the family within a 6-month period (17 cases) or when there were two or more substantiated reports but they involved a different perpetrator (1 case). Item 2 was rated as an ANI in two cases in which there were two substantiated maltreatment reports within 6 months and one case in which there were three substantiated maltreatment reports within 6 months.

Rating Determination

Item 2 was assigned an overall rating of ANI. In 86 percent of the cases reviewed, reviewers determined that there was no recurrence of maltreatment. This percentage is less than the 90 percent required for a rating of Strength. This item was rated as a Strength in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, Texas has implemented a number of initiatives to decrease maltreatment recurrence for children. The Statewide Assessment reports that Child Safety Specialists review high-risk cases on a regular basis to ensure that risk is properly assessed and addressed. The Statewide Assessment also reports that caseloads for investigative caseworkers have been reduced to enable them to spend more time with each family and improve the timeliness and quality of risk assessment and planning. The Statewide Assessment notes that Family Group Decision Making (FGDM) has been implemented to develop individualized safety plans and manage risk in families. In addition, the Statewide Assessment reports that a multiple referral indicator has been added to

the statewide information system to identify high-risk cases. According to the Statewide Assessment, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 86 percent of the applicable cases.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that repeat maltreatment is rare and that, if it occurs, it is beyond the capacity of the agency to prevent. Some stakeholders reported that DFPS is highly engaged with families, especially those receiving in-home services, and that the protective effect of DFPS involvement with a family is very positive.

Safety Outcome 2

Safety Outcome S2: Children are safely maintained in their homes whenever possible and appropriate					
Number of cases reviewed by the team according to degree of outcome achievement					
	Dallas County	El Paso County	Harris County	Total Number	Percent
Substantially Achieved	9	11	21	41	63.1
Partially Achieved	4	2	8	14	21.5
Not Achieved	4	4	2	10	15.4
Total Cases	17	17	31	65	

Status of Safety Outcome 2

Texas is not in substantial conformity with Safety Outcome 2. The outcome was determined to be substantially achieved in 63.1 percent of the cases reviewed, which is less than the 95 percent required for a rating of substantial conformity. The outcome was substantially achieved in 68 percent of Harris County cases, 65 percent of El Paso County cases, and 53 percent of Dallas County cases.

Key Concerns From the 2002 CFSR

The State also was not in substantial conformity for Safety Outcome 2 in its 2002 CFSR. In the 2002 CFSR, both item 3 (services to the family to protect children in their homes and prevent removal) and item 4 (services to reduce the risk of harm to children) were rated as ANIs. The key concerns were the following:

- Lack of consistency with regard to the State’s efforts to follow up with families to ensure that they were participating in services
- Lack of consistency with regard to the State’s efforts to assess families and provide needed services
- Lack of consistency with regard to the State’s ability to assess risk on an ongoing basis

To address these concerns, Texas implemented the following strategies:

- Worked to ensure that service delivery would not be adversely impacted when a transition in caseworkers occurred because of a change in stage of service or turnover
- Conducted periodic review of cases that transition from investigation to family-based safety services to monitor completion of services assessed as needed
- Developed a satisfaction survey for clients receiving family-based safety services (FBSS)
- Enhanced training for CPS staff with an emphasis on appropriate handling of subsequent reports on active cases
- Reduced caseworker turnover by strengthening leadership and management skills to produce a more effective administration

Texas met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

In the 2008 CFSR, item 3 (services to protect children in home and prevent removal) and item 4 (risk assessment and safety management) continue to be rated as ANIs. The key findings of the 2008 CFSR were as follows:

- Lack of consistency in ensuring that services are provided, leaving children in unsafe situations in the home
- Lack of adequate services to prevent removal
- Lack of adequate safety and risk assessments, leaving unaddressed risks to children
- Lack of services to reduce risk to children in foster care
- Lack of attention to protect the safety of children during visitation
- Lack of services to reduce risk for children who were reunified

The findings pertaining to the specific items assessed under Safety Outcome 2 are presented below.

Item 3. Services to family to protect child(ren) in home and prevent removal or reentry into foster care

Strength Area Needing Improvement

Case Review Findings

An assessment of item 3 was applicable in 40 (62 percent) of the 65 cases. Cases were excluded from this assessment if the children entered foster care prior to the period under review and there were no other children in the home or if there was no substantiated or indicated maltreatment report or an identified risk of harm to the children in the home (including children reunified from foster care) during the period under review. For this item, reviewers assessed whether, in responding to a substantiated maltreatment report or risk of harm, the agency made diligent efforts to provide services to families to prevent placement of children in foster care while ensuring their safety. The results of this assessment are shown in the table below.

Item 3	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	7	8	15	30	75
Area Needing Improvement	4	2	4	10	25
Total Applicable Cases	11	10	19	40	
Not Applicable Cases	6	7	12	25	
Total Cases	17	17	31	65	

Item 3 was rated as a Strength in 80 percent of applicable El Paso County cases, 79 percent of applicable Harris County cases, and 64 percent of applicable Dallas County cases.

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

- Services were provided to the parents and child to prevent removal (27 cases).
- The child was removed from the home without service provision to ensure the child’s safety (one case).
- The family received post-reunification services to prevent the child’s reentry into foster care (one case).
- The child was placed in foster care briefly to protect the safety of the child while services were provided to the adoptive family and the child (one case).

Case review information indicates that a range of services was offered or provided to families. These included (but were not limited to) in-home family-based services, youth tracking services, individual and family mental health services, respite care, transportation, early intervention, parenting support groups, and services to help with domestic violence, substance abuse, and anger management.

Item 3 was rated as an ANI when reviewers determined the following:

- Services were not provided, and children remained in unsafe situations in the home (seven cases).
- The child’s placement in foster care could possibly have been prevented if adequate services had been provided prior to removal (two cases).
- The child’s reunification was not supported to ensure the safety of the child (one case).

Rating Determination

Item 3 was assigned an overall rating of ANI. In 75 percent of the cases, reviewers determined that DFPS had made concerted efforts to maintain children safely in their own homes. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, Texas uses the FBSS program to provide in-home services and organize a plan to prevent the removal of a child, if safety permits. The Statewide Assessment states that policy requires that reasonable efforts be made to maintain the family unit and prevent the removal of a child from his or her home, as long as the child’s safety is assured. According to the Statewide Assessment, the number of families receiving FBSS in Texas increased 57 percent from FY 2004 to FY 2007. The Statewide Assessment reports that, in a review of a random sample of cases during the first quarter of FY 2008, this item was rated as a Strength in 91 percent of the cases.

In addition, the Statewide Assessment describes the use of FGDM, and in particular family team meetings before a child is removed from the home, to ensure a rapid response to the family’s needs for both services and safety planning. The Statewide Assessment identifies a new flexible funding stream, which became available in January 2008, from a program called Strengthening Families Through Enhanced In-Home Support. This program provides assistance to families in poverty to help them pay for household goods, transportation, and basic needs.

In the Statewide Assessment, Texas acknowledges that staff retention and turnover impact the delivery of both CPS and FBSS services. For example, the Statewide Assessment notes that the FBSS caseworker turnover rate was 27 percent statewide in FY 2007. However, the Statewide Assessment also notes that performance management reports allow supervisors to improve the timeliness of the establishment of services and maintain the continuity of service delivery even when caseworkers change.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that the State makes concerted efforts to keep families together, but that CPS does not hesitate to remove a child from an unsafe home environment. Several stakeholders expressed the opinion that FGDM helps families identify the internal familial resources and external community supports necessary to support them and to make it possible for the child to remain safely in the home.

Item 4. Risk of harm to child

Strength Area Needing Improvement

Case Review Findings

An assessment of item 4 was applicable for all 65 cases. In assessing item 4, reviewers were to determine whether the agency had made, or was making, diligent efforts to address the risk of harm to the children involved in each case. The results of this assessment are shown in the table below.

Item 4	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	9	12	25	46	71
Area Needing Improvement	8	5	6	19	29
Total Cases	17	17	31	65	

Item 4 was rated as a Strength in 81 percent of Harris County cases, 71 percent of El Paso County cases, and 53 percent of Dallas County cases.

Item 4 was rated as a Strength when reviewers determined that the risk of harm to children was appropriately addressed by the agency through (1) conducting initial and ongoing assessments of risk and safety either in the children’s home or in the children’s foster home and (2) addressing all safety-related concerns identified through the assessment. Item 4 was rated as an ANI when reviewers determined the following:

- Adequate initial and ongoing safety and risk assessments were not conducted, and the risk to the child was not addressed (12 cases).
- There was risk of harm to the child in the foster care setting, and the services necessary to reduce that risk were not provided (three cases).
- There was risk of harm to the child in foster care during visitation that was not addressed (two cases).
- There was risk of harm to the children when the case was closed, and the services necessary to reduce risk were not provided (two cases).

Rating Determination

Item 4 was assigned an overall rating of ANI. In 71 percent of the applicable cases, reviewers determined that DFPS had appropriately addressed the risk of harm to the children. This percentage is less than the 90 percent required for an overall rating of Strength. This item was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, safety and risk are assessed and documented using actuarial assessment tools. Caseworkers are required to complete the risk and safety assessments as a part of the automated case record. The safety assessment tool documents whether children in the home are safe from a present danger of serious harm, while the risk assessment tool rates the family according to scales of concern.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 84 percent of the cases. According to the Statewide Assessment, DFPS has added the following positions to the child protection team: Child Safety Specialist; Nurse Consultant; Substance Abuse Specialist; Child Sexual Assault Expert; Community Engagement Specialist; Resource and External Relations Specialist; and Outreach, Screening, Assessment, and Referrals Specialist. In

addition, the Statewide Assessment describes an improved joint-training and joint-investigation protocol with law enforcement to ensure that background checks are completed and investigations are coordinated.

According to the Statewide Assessment, Texas relies upon improvements in the Residential Child Care Licensing (RCCL) Division’s regulations and oversight to reduce the maltreatment of children while they are in licensed facilities. The Statewide Assessment reports that more frequent training and monitoring have improved the safety of children living in child care facilities and homes monitored by child-placing agencies.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that formal risk assessment is routine in all cases. However, a few stakeholders indicated that caseworkers seem to have difficulty using the risk and safety assessment tools, which may lead to perfunctory assessments. Several stakeholders expressed the opinion that FGDM helps to decrease risk for children who remain at home with their families.

II. PERMANENCY

Permanency Outcome 1

Outcome P1: Children have permanency and stability in their living situations					
Number of cases reviewed by the team according to degree of outcome achievement					
	Dallas County	El Paso County	Harris County	Total Number	Percent
Substantially Achieved	5	4	6	15	37.5
Partially Achieved	5	5	13	23	57.5
Not Achieved or Addressed	0	1	1	2	5.0
Total Foster Care Cases	10	10	20	40	
Conformity of statewide data indicators with national standards					
National Data Indicators	National Standard (Scaled Score)		State’s Composite Score	Meets Standard (Yes/No)	
Composite 1: Timeliness and permanency of reunification	122.6 +		120.1	No	
Composite 2: Timeliness of adoptions	106.4 +		97.4	No	
Composite 3: Permanency for children in foster care for extended time periods	121.7 +		93.1	No	
Composite 4: Placement stability	101.5 +		82.9	No	

Status of Permanency Outcome 1

Texas is not in substantial conformity with Permanency Outcome 1. This determination was based on the following findings:

- The outcome was determined to be substantially achieved in only 37.5 percent of cases, which does not meet the 95 percent required for an overall rating of substantial conformity.
- The State Data Profile indicates that for the 12-month CFSR period ending March 31, 2007, the State did not meet the national standards for any of the four data indicators shown in the table.

The outcome was substantially achieved in 50 percent of Dallas County cases, 40 percent of El Paso County cases, and 30 percent of the Harris County cases.

Performance on the individual measures included in all composites is presented in the discussion of the items related to each measure.

Key Concerns From the 2002 CFSR

The State also was not in substantial conformity with Permanency Outcome 1 in its 2002 CFSR. During that review, item 5 (foster care reentries) and item 10 (other planned permanent living arrangement or OPPLA) were rated as Strengths, but all other items were rated as ANIs. The key concerns identified in the 2002 CFSR were the following:

- There was a lack of placement stability for children in foster care due primarily to insufficient placement resources.
- Appropriate permanency goals were not established consistently or in a timely manner.
- There was a lack of concerted efforts to achieve reunifications in a timely manner.
- There was a lack of concerted efforts to achieve finalized adoptions in a timely manner.

To address these concerns, Texas implemented the following strategies:

- Implemented a formal CPS Kinship Program, approved by the 78th Texas Legislature
- Obtained Federal clarification on Adoption and Foster Care Analysis and Reporting System (AFCARS) definitions, interpretations, revised policies, and coding on placements
- Increased the use of mediation
- Improved legal representation for children in CPS cases
- Explored alternatives and possible legal remedies to the statewide practice of continuing the court case after a child has returned home, without adversely impacting the safety of children
- Implemented Family Group Conferencing after removal of a child to improve case planning and increase reunification or relative placement

- Improved timeliness of finalizing adoptions
- Improved the access to training to increase the number of adoptive parents
- Implemented a faith-based placement initiative to increase foster and adoptive placement resources

Texas met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

In the 2002 CFSR, item 5 (foster care reentries) was again rated as a Strength, but all other items were rated as ANIs. In addition, as noted above, the State did not meet any of the national standards for the data composite indicators. Key findings of the case review process indicate that the problems identified in the 2002 CFSR continued to be concerns in the 2008 CFSR. In addition, in the 2008 CFSR, a key case review finding was a determination that the agency was inappropriately assigning the goal of OPPLA for children under the age of 15.

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

Item 5. Foster care reentries

Strength Area Needing Improvement

Case Review Findings

An assessment of item 5 was applicable for 13 (33 percent) of the 40 foster care cases. Cases were not applicable for assessment if the child did not enter foster care during the period under review. In assessing this item, reviewers determined whether or not the entry into foster care during the period under review occurred within 12 months of discharge from a prior foster care episode. The results of this assessment are presented in the table below.

Item 5	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	4	3	6	13	100
Area Needing Improvement	0	0	0	0	0
Total Applicable Foster Care Cases	4	3	6	13	
Not Applicable Foster Care Cases	6	7	14	27	
Total Foster Care Cases	10	10	20	40	

Item 5 was rated as a Strength in 100 percent of applicable cases.

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

Rating Determination

Item 5 was assigned an overall rating of Strength because the item was rated as a Strength in 100 percent of the applicable cases, which exceeds the 90 percent required for a rating of Strength. This item also was rated as a Strength in the State’s 2002 CFSR.

Performance on the Composite 1: Measure relevant to the permanency of reunification

State performance for the 12-month CFSR period ending March 31, 2007, on the individual measure of foster care reentry (Measure C1.4) included in Composite 1: Timeliness and permanency of reunification was as follows: 5.5 percent of the children discharged from foster care to reunification reentered foster care in less than 12 months. This percentage indicates that Texas performed better than the 25th percentile of performance for all States (9.9 percent). For this measure, lower percentages are associated with higher levels of performance. These data are presented to provide additional information about foster care reentry. There is no national standard for this measure. National standards have been established only for the scaled composite scores.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy provides for reunification to be completed only after certain requirements are met, including: court concurrence, parent concurrence, and parent agreement to 6 months of continued supervision after reunification and before the case is dismissed. The Statewide Assessment also reports that the practices of retaining legal conservatorship and of court monitoring of families have been effective in enhancing the safety of children and preventing reentries into foster care. The Statewide Assessment notes that the courts play a pivotal role in protecting children by monitoring the return of children to their homes.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 97 percent of cases. Additionally, the Statewide Assessment reports that FGDM helps to address foster care reentry by ensuring that the family identifies support and resources from the community and the extended family.

Stakeholder Interview Information

During the onsite CFSR, stakeholders interviewed did not comment specifically on this item.

Item 6. Stability of foster care placement

Strength Area Needing Improvement

Case Review Findings

All 40 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. Reviewers also assessed the stability of the child’s current placement setting. The findings of this assessment are presented in the table below.

Item 6	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	8	8	14	30	75
Area Needing Improvement	2	2	6	10	25
Total Foster Care Cases	10	10	20	40	

Item 6 was rated as a Strength in 80 percent of cases in Dallas County and El Paso County, and 70 percent of Harris County cases.

Item 6 was rated as a Strength when reviewers determined the following:

- The child did not experience a placement change during the period under review, and either the current placement was stable, the child was discharged from foster care, or the child was adopted during the period under review (21 cases).
- The placement changes experienced were in the child’s best interests and were intended either to promote achieving the child’s permanency goal or to provide specialized services to the child (nine cases). For example, in two cases, the child was placed in a residential treatment setting to facilitate therapeutic treatment and then placed in a foster family home.

Item 6 was rated as an ANI when reviewers determined one or both of the following:

- The child experienced multiple placements, and at least one placement change was not in the child’s best interests (10 cases). For example, in two cases, the child was removed from a foster home due to a runaway episode, and in two other cases, the child experienced multiple placements because the child’s mental and behavioral health needs were not being appropriately addressed by the agency.
- The child’s current placement was not stable (five cases). For example, the foster family had indicated that long-term placement was not possible.

Additional findings of the case review were the following:

- Children in 22 cases experienced only one placement during the period under review.
- Children in eight cases experienced two placements during the period under review.
- Children in 10 cases experienced three or more placements during the period under review.

Rating Determination

Item 6 was assigned an overall rating of ANI. In 75 percent of the applicable cases, reviewers determined that children experienced placement stability or that changes in placements were in the best interests of the child. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Performance on the Individual Measures Included in Composite 4: Placement stability

Texas's performance for the 12-month CFSR period ending March 31, 2007, with regard to the measures included in Composite 4: Placement stability is presented below:

- C4-1: 80.1 percent of the children in foster care for less than 12 months experienced two or fewer placement settings. This percentage is less than the national median for this measure of 83.3 percent.
- C4-2: 52.6 percent of the children in foster care for at least 12 months but less than 24 months experienced two or fewer placement settings. This percentage is less than the national median of 59.9 percent.
- C4-3: 20.8 percent of the children in foster care for at least 24 months experienced two or fewer placement settings. This percentage is less than the national median of 33.9 percent.

These data are presented to provide additional information about placement stability. There are no national standards for performance on these measures individually. National standards have been established only for the scaled composite scores.

Statewide Assessment Information

According to the Statewide Assessment, Child Placement Coordinators within a Centralized Placement Unit (CPU) assess placement availability to expedite and facilitate arranging foster care placements that are best able to meet children's needs. In addition, the Statewide Assessment reports that the CPU ensures that placements meet Federal and State child-placing guidelines, as well as DFPS policy, minimum standards for licensing, and contractual agreements.

According to the Statewide Assessment, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 77 percent of cases. The Statewide Assessment indicates that the performance is low for this item due to a continuing shortage of placements. In addition, the Statewide Assessment reports that, due to the shortage of placements, the number of children requiring emergency shelter placement increased, putting additional strains on the emergency shelter system, especially for children with therapeutic needs. Further, the Statewide Assessment acknowledges that, as emergency shelters became unavailable, a small percentage of children regularly stayed overnight in an office, hotel, or other location while caseworkers searched for an appropriate placement. This population was most likely to include children who were released from psychiatric hospitalization or juvenile

detention, who were found after a runaway episode, who had a placement disruption, and who had an initial emergency nighttime removal from the family. The Statewide Assessment reports that placements were not available for these children either because all providers were at capacity or no provider was available to accommodate a child with intense needs.

The Statewide Assessment reports that, for children who attained permanency in FY 2006, children who were emancipated from foster care had the most placements (an average of 7.9), while children reunified with their families had the fewest (an average of 2.1).

According to the Statewide Assessment, DFPS has implemented several strategies to address placement stability for children in foster care:

- Developing and expanding the use of CPUs
- Developing the Kinship Program, which provides benefits to extended family members
- Expanding capacity for qualified providers
- Establishing a higher pay rate for foster children immediately after they are discharged from psychiatric hospitals
- Developing recruitment activities such as the Why Not Me? campaign and faith-based recruitment efforts to address disproportionality, increase adoptions, and increase the number of placement resources

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that placement stability is not as consistent for older children in foster care as it is for younger children. While several stakeholders praised the matching work of the CPU and indicated that the placement coordinators are knowledgeable and efficient, some stakeholders expressed skepticism about the ability of the CPU to place children in appropriate settings.

Item 7. Permanency goal for child

Strength Area Needing Improvement

Case Review Findings

All of the 40 foster care cases were applicable for an assessment of item 7. In assessing this item, reviewers determined whether the agency had established a permanency goal for the child in a timely manner and whether the most current permanency goal was appropriate. In addition, reviewers determined whether Termination of Parental Rights (TPR) was sought in accordance with Adoption and Safe Families Act (ASFA) requirements. The results of this assessment are shown below.

Item 7	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	8	5	16	29	72.5
Area Needing Improvement	2	5	4	11	27.5
Total Foster Care Cases	10	10	20	40	

Item 7 was rated as a Strength in 80 percent of Dallas County cases, 80 percent of Harris County cases, and 50 percent of El Paso County cases.

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 case was rated as an ANI when reviewers determined one or more of the following:

- The child’s permanency goal was not established in a timely manner, nor was it appropriate to the needs of the child (one case).
- The child’s permanency goal was not established in a timely manner (five cases).
- The child’s permanency goal was not appropriate to the needs of the child (five cases).
- TPR was not sought in accordance with ASFA timelines, and no compelling reasons were noted in the case file (five cases).
- The goal of OPPLA was not appropriate to the needs of the child when the child was in Permanency Managing Conservatorship (PMC) and parental rights were not terminated (one case).

Case review findings pertaining to case plan goals were as follows:

- Thirteen children had a single goal of OPPLA. More information on children with a goal of OPPLA is presented under item 10 below.
- Eleven children had a single goal of adoption. More information on children with a goal of adoption is presented under item 9 below.
- Eight children had a single goal of reunification (including living with relatives). More information on children with this goal is presented under item 8 below.
- Four children had concurrent goals of reunification and adoption.
- One child had concurrent goals of guardianship and adoption.
- Three children had concurrent goals of OPPLA and adoption.

Case review findings show that, at the time of the Onsite Review, 84 percent (26 cases) of the 31 cases regarding children who had been in foster care for 15 of the most recent 22 months were in compliance with ASFA requirements regarding TPR.

In addition, case review findings show that the goal of OPPLA was established for 12 children who were under the age of 16. Findings regarding these children follow:

- Reviewers determined that the goal of OPPLA was appropriate to the child's needs (nine cases).
- Reviewers determined that the goal of OPPLA was not appropriate to the child's needs (three cases).

Rating Determination

Item 7 was assigned an overall rating of ANI. Case reviewers determined that in 72.5 percent of the applicable cases, the agency had established an appropriate permanency goal for the child in a timely manner and had met ASFA requirements with regard to filing for TPR. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Performance on the Individual Measures Included in Composite 3:

Permanency for children in foster care for extended time periods

Texas's performance for the 12-month CFSR period ending March 31, 2007, on the individual measures incorporated in Permanency Composite 3: Achieving permanency for children in foster care for extended time periods is presented below:

- C3-1: 18.7 percent of the children in foster care for 24 months or longer at the start of the FY were discharged from foster care to a permanent home (i.e., adoption, reunification with parents or other relatives, or guardianship) by the end of the FY. This percentage is less than the national median of 25 percent.
- C3-2: 88.2 percent of the children exiting foster care who were legally free for adoption at the time of exit were discharged to a permanent home. This percentage is less than the national median of 96.8 percent.
- C3-3: 59.6 percent of the children who were discharged from foster care with a discharge reason of emancipation had been in foster care for 3 years or longer at the time of discharge. This percentage is higher than the national median of 47.8 percent. For this measure, lower scores indicate more positive performance.

These data are presented to provide additional information about permanency for children in foster care for extended time periods. There are no national standards for performance on these measures individually. National standards have been established only for the scaled composite scores.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires a permanency plan and the identification of a primary permanency goal documented in the child's service plan. The Statewide Assessment reports that, although most permanency goals focus on finding a family situation for each child, for youth 16 years and older, if none of these goals are appropriate, staff can select another planned living arrangement (preparation for independent living) as the goal.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 92 percent of the cases. The Statewide Assessment also notes that the most common causes for a delay in the development of goals, as identified by case reviewers, were selecting the goal of adoption when it was not appropriate or a lack of concurrent planning for cases that were not making progress toward reunification.

The Statewide Assessment reports that kinship placements are being used regularly as part of a continuum to reunification, particularly when Family Group Conferences are used. Data presented in the Statewide Assessment show that the percentage of children discharged from foster care to reunification, permanent placement with relatives, or adoption has increased from 86 percent in FY 2006, to 88 percent in FY 2007, while the percentage of children who aged out of foster care or otherwise exited the foster care system decreased from 14 percent to 13 percent over the same period.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item reported that options for permanency are identified at the beginning of a case and that concurrent planning is a prominent feature of case planning. Some stakeholders indicated that DFPS focuses on kinship resources and placements for children to increase the opportunity for children to achieve permanency in a timely manner. In addition, several stakeholders expressed the opinion that the limit of 12 months to achieve permanency, enforced by the courts, requires the agency to plan for both reunification and an alternative permanent goal for each child.

Item 8. Reunification, guardianship, or permanent placement with relatives

Strength Area Needing Improvement

Case Review Findings

Item 8 was applicable for 13 (33 percent) of the 40 foster care cases. In assessing this item, reviewers were to determine whether the agency had achieved the permanency goals of reunification, guardianship, or permanent placement with relatives in a timely manner, or, if the goals had not been achieved, whether the agency had made, or was in the process of making, diligent efforts to achieve the goals. The results of this assessment are shown in the table below.

Item 8	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	1	1	5	7	54
Area Needing Improvement	1	1	4	6	46
Total Applicable Foster Care Cases	2	2	9	13	
Not Applicable Foster Care Cases	8	8	11	27	
Total Foster Care Cases	10	10	20	40	

Item 8 was rated as a Strength in 50 percent of applicable cases in Dallas County and El Paso County, and 56 percent of applicable Harris County cases.

Item 8 was rated as a Strength in seven cases when reviewers determined that the goal of reunification, guardianship, or placement with relatives had been achieved in a timely manner or that the agency was making concerted efforts to achieve the goal in a timely manner. Item 8 was rated as an ANI in six cases in which reviewers determined that the agency had not made concerted efforts to achieve the goal in a timely manner.

Rating Determination

Item 8 was assigned an overall rating of ANI. Case reviewers determined that in 54 percent of the applicable cases, the agency had made diligent efforts to attain the goals of reunification, guardianship, or permanent placement with relatives in a timely manner. This percentage does not meet the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Performance on the Individual Measures Pertaining to Timeliness Included in Composite 1: Timeliness and permanency of reunification

Texas's performance in the 12-month CFSR period ending March 31, 2007, on the individual measures included in Permanency Composite 1: Timeliness and permanency of reunification was as follows:

- C1-1: 65.9 percent of the reunifications occurred in less than 12 months after the child's entry into foster care. This percentage is less than the national median of 69.9 percent.
- C1-2: The median length of stay in foster care for children discharged to reunification was 10.3 months. This length of stay is longer than the national median of 6.5 months. For this measure a lower number of months means higher performance.
- C1-3: 36.9 percent of children entering foster care in the last 6 months were discharged from foster care to reunification within 12 months of entry into foster care. This percentage is less than the national median of 39.4 percent.

These data are presented to provide additional information about permanency of reunification. There are no national standards for performance on these measures individually. National standards have been established only for the scaled composite scores.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires CPS to explore the possibility of reunification as an option for every child in foster care. In addition, the Statewide Assessment reports that DFPS policy requires that caseworkers placing a child in foster care make every effort to identify and locate a noncustodial parent, relative, or other designated caregiver willing and suitable to care for the child. According to the Statewide Assessment, FGDM helps CPS to involve not only parents, but also extended family members and community partners in finding creative ways to keep children safe and achieve permanency within the existing family structure.

According to the Statewide Assessment, the Kinship Caregiver Assistance Program (KCAP) provides financial assistance, resources, and support services in the form of a one-time payment to families in order to discharge children from foster care or divert children from entering foster care.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 72 percent of the cases. According to the Statewide Assessment, Texas acknowledges that there is significant variation among counties regarding the timeliness of family reunification. The Statewide Assessment indicates that DFPS is working through the Court Improvement Program with the Supreme Court Commission on Children, Youth and Families to improve the timeliness of family reunification.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that kinship placements have become a major component of reunification efforts. In addition, several stakeholders suggested that FGDM contributes to successful reunification outcomes.

Item 9. Adoption

Strength Area Needing Improvement

Case Review Findings

Item 9 was applicable for 19 (48 percent) of the 40 foster care cases. In assessing this item, reviewers were to determine whether diligent efforts had been made or were being made to achieve finalized adoptions in a timely manner. The results are shown in the table below.

Item 9	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	2	3	3	8	42
Area Needing Improvement	1	4	6	11	58
Total Applicable Foster Care Cases	3	7	9	19	
Not Applicable Foster Care Cases	7	3	11	21	
Total Foster Care Cases	10	10	20	40	

Item 9 was rated as a Strength in 67 percent of applicable Dallas County cases, 43 percent of applicable El Paso County cases, and 33 percent of applicable Harris County cases.

Item 9 was rated as a Strength in eight cases when reviewers determined that the State had made diligent efforts to achieve finalized adoptions in a timely manner.

Item 9 was rated as an ANI in 11 cases when reviewers determined one the following:

- The agency did not make diligent efforts to achieve a finalized adoption in a timely manner (seven cases).
- The current placement is not suitable for permanent placement, and the State did not make diligent efforts to locate a suitable permanent home (one case).
- The agency did not make concerted efforts to achieve a finalized adoption when the concurrent or subsequent goal was adoption (two cases).
- The agency did not make diligent efforts to achieve a finalized adoption after the court granted the agency PMC, suspending TPR proceedings (one case).

Case review findings pertaining to the goal of adoption were as follows:

- There were 19 cases with a goal of adoption, including 8 cases with the concurrent goal of adoption.
- Adoption was finalized in 5 of the 19 cases, and 3 of these cases were finalized within 24 months of the child's entry into foster care.

Rating Determination

Item 9 was assigned an overall rating of ANI. Case reviewers determined that DFPS had made diligent efforts to achieve adoptions in a timely manner in only 42 percent of the cases. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Performance on the Individual Measures Included in Composite 2: Timeliness of adoptions

The following information describes Texas's performance for the 12-month CFSR period ending March 31, 2007, on the individual measures included in the Permanency Composite 2: Timeliness of adoptions:

- C2-1: 49.3 percent of the children exiting to adoption were discharged in less than 24 months from the time of entry into foster care. This percentage exceeds the national 75th percentile of 36.6 percent.
- C2-2: The median length of stay in foster care for children adopted was 24.1 months. This median length of stay is less than the national 25th percentile of 27.3 months. For this measure, the lower the number of months, the higher the performance.
- C2-3: 19.6 percent of children in foster care for 17 months or longer on the first day of the target period were discharged to a final adoption by the last day of the target period. This percentage is just below the national median of 20.2 percent.
- C2-4: 4.3 percent of children in foster care for 17 months or longer on the first day of the target period became legally free for adoption (i.e., there was a TPR for both mother and father) within the first 6 months of the target period. This percentage is less than the national median of 8.8 percent.

- C2-5: 35.8 percent of children who were legally free for adoption were adopted within 12 months of becoming legally free. This percentage is less than the national median of 45.8 percent.

These data are presented to provide additional information about timeliness of adoption. There are no national standards for performance on these measures individually. National standards have been established only for the scaled composite scores.

Statewide Assessment Information

According to the Statewide Assessment, the number of adoptions has steadily increased over the last 5 years, perhaps due to the increase in kinship adoption. However, the Statewide Assessment notes that the number of children who are waiting to be adopted also has increased significantly. For example, according to the Statewide Assessment, from FY 2006 to FY 2007 the number of children who were adopted increased 19 percent, while the number of children waiting to be adopted also increased by 18 percent. Additionally, the Statewide Assessment reports that in September 2007, there were 6,235 children who were legally free for adoption and needed an adoptive placement, and that 93 percent of these children had been in foster care for 12 months or longer.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 58 percent of the cases. The Statewide Assessment acknowledges that high caseloads and staff turnover cause delays in preparing children for adoption and in the selection of families.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that Texas provides supportive services and programs to promote relative adoption. Some stakeholders reported that the Why Not Me? campaign and the Heart Galleries have effectively identified adoptive homes for waiting children. In addition, some stakeholders identified the FGDM process as a positive support for ensuring that adoption is finalized. Some stakeholders across the sites and at the State level expressed the opinion that adoption takes longer for older children and that DFPS lacks the resources to promote adoptions for this population. Several stakeholders reported that the casework required to complete an adoption is extensive and that counties do not have enough staff to manage adoptions in a timely manner.

Item 10. Permanency goal of other planned permanent living arrangement

Strength Area Needing Improvement

Case Review Findings

Item 10 was applicable for 16 (40 percent) of the 40 foster care cases. In assessing these cases, reviewers were to determine if the agency had made, or was making, diligent efforts to assist children in attaining their goals related to OPPLA. The results are presented in the table below.

Item 10	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	5	4	4	13	81
Area Needing Improvement	1	0	2	3	19
Total Applicable Foster Care Cases	6	4	6	16	
Not Applicable Foster Care Cases	4	6	14	24	
Total Foster Care Cases	10	10	20	40	

Item 10 was rated as a Strength in 100 percent of applicable El Paso County cases, 83 percent of applicable Dallas County cases, and 67 percent of applicable Harris County cases.

Item 10 was rated as a Strength when reviewers determined the following:

- The child was in a long-term, stable placement and was receiving the necessary services and supports to promote a successful transition from foster care to independent living once the child reaches the age of emancipation (12 cases).
- The child had long-term special needs that were being adequately addressed in a specialized setting, and the State was planning to transition the child to a supervised living arrangement at the age of majority (one case).

Item 10 was rated as an ANI when reviewers determined one or more of the following:

- There was no evidence of an agreement that the current foster parent would care for the child until the age of majority (three cases).
- The agency was not providing the child with sufficient services to assist in transitioning to independent living (one case).
- The agency had not established a permanent living arrangement for the child (two cases).

Further information regarding the establishment of the goal of OPPLA is presented in item 7 above. The goal of OPPLA was established for 12 children who were under the age of 16. For three of these children, reviewers determined that OPPLA was not an appropriate goal at the time it was established.

Rating Determination

Item 10 was assigned an overall rating of ANI. In 81 percent of the cases, reviewers determined that the goal of OPPLA was being addressed in an appropriate way. This percentage does not meet the 90 percent required for a rating of Strength. This item was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment Information

The Statewide Assessment reports that, although most permanency goals focus on finding a family situation for each child, if none of these goals are appropriate for youth 16 years and older, staff can select another planned living arrangement (preparation for independent living) as the goal. The Statewide Assessment reports that, for youth 16 and older, permanency planning takes place using the Circles of Support FGDM model, which highlights transition planning and preparation for adult living. The Statewide Assessment acknowledges that Texas is challenged by the number of older children in foster care who will neither return home nor be adopted.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 78 percent of cases. The Statewide Assessment reports that DFPS youth surveys indicate satisfaction with the transition planning and services. According to the Statewide Assessment, the number of youth who age out of foster care is increasing every year. In addition, the Statewide Assessment reports that in certain circumstances, DFPS provides State-funded foster care for youth over the age of 18 who are not yet independent.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that the Preparation for Adult Living Services program was good, offering comprehensive independent living services. Some stakeholders indicated that the opportunity to remain in State-funded foster care beyond the age of 18 is helpful.

Permanency Outcome 2

Outcome P2: The continuity of family relationships and connections is preserved for children					
Number of cases reviewed by the team according to degree of outcome achievement					
	Dallas County	El Paso County	Harris County	Total Number	Percent
Substantially Achieved	5	7	13	25	62.5
Partially Achieved	4	2	7	13	32.5
Not Achieved or Addressed	1	1	0	2	5.0
Total Foster Care Cases	10	10	20	40	

Status of Permanency Outcome 2

Texas is not in substantial conformity with Permanency Outcome 2. The outcome was determined to be substantially achieved in 62.5 percent of cases, which does not meet the 95 percent required for substantial conformity. The outcome was substantially achieved in 70 percent of El Paso County cases, 65 percent of Harris County cases, and 50 percent of Dallas County cases.

The State was in substantial conformity with Permanency Outcome 2 in its 2002 CFSR and was not required to address this outcome in its PIP.

Key Findings of the 2008 CFSR

In the 2008 CFSR, item 11 (proximity of foster care placement) and item 12 (placement with siblings) were rated as Strengths. However, all other items in this outcome were rated as ANIs. Key concerns were as follows:

- There was a lack of consistency with regard to supporting children’s visitation with family.
- There was a lack of consistency with regard to supporting children’s connections with extended family, siblings, school, and community.
- There were inconsistent efforts made to search for maternal and paternal relatives as placement resources for children.
- The support of the parents’ relationships with their children while the children were in foster care was inconsistent; however, less attention was given to promoting children’s bonds with mothers than fathers.

Despite these concerns, the case reviews also found the following:

- Children were routinely and consistently placed in proximity to parents or potential permanent caregivers.
- Children were consistently placed with their siblings unless there was a valid reason for separating them.

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

Item 11. Proximity of foster care placement

 X Strength Area Needing Improvement

Case Review Findings

Item 11 was applicable for 22 (55 percent) of the 40 foster care cases. Cases determined to be not applicable were those in which (1) TPR had been attained prior to the period under review, (2) contact with parents was not considered to be in the child’s best interests, and/or (3) parents were deceased or their whereabouts were unknown. In assessing item 11, reviewers were to determine whether the child’s most current foster care setting was in close proximity to the child’s parents or close relatives. The results of this assessment are presented in the table below.

Item 11	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	2	6	12	20	91
Area Needing Improvement	1	0	1	2	9
Total Applicable Foster Care Cases	3	6	13	22	
Not Applicable Foster Care Cases	7	4	7	18	
Total Foster Care Cases	10	10	20	40	

Item 11 was rated as a Strength in 100 percent of applicable El Paso County cases, 92 percent of applicable Harris County cases, and 67 percent of applicable Dallas County cases.

Item 11 was rated as a Strength in 20 of the cases reviewed when reviewers determined that children were placed in the same community or county as their parents or that the children’s placements were not in the same community or county but were still geographically close to their parents.

In the two cases rated as an ANI, the placements were far from the families. In one case, the child was placed an hour and a half away in another county because there were no closer placements available. In the other case, the child was placed in a placement in another county for reasons that did not include access to special services. This placement was determined to be too far to permit ongoing visitation between the child and the family.

Rating Determination

Item 11 was assigned an overall rating of Strength. In 91 percent of the cases, reviewers determined that DFPS placed children in foster care placements that were in proximity to their parents’ or relatives’ homes or that met their special needs. This percentage exceeds the 90 percent required for a rating of Strength. This item also was rated as a Strength in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires placement of all children within their community or within 50 miles of their legal county, if appropriate. Further, the Statewide Assessment reports that a child is placed outside of the home county if there are no placements available to meet the child’s needs. The Statewide Assessment reports that, although each region has a CPU, finding appropriate placements for foster children has become increasingly difficult, particularly for those children with special needs. The Statewide Assessment notes that a child is typically placed at a long distance from the family in three circumstances: The child is a member of a large sibling group; the child has been denied placement with a local provider due to behavioral concerns; or the services that a child needs are more intensive than what local providers are able to accommodate.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 95 percent of the cases. Statewide data show that for September 2007, 18 percent of children are placed outside of their home region. Of these children, 33 percent are either living with relatives or in an adoptive placement; 18 percent are placed outside of their home region due to their need to be in a residential treatment facility; and only 8 percent are placed outside their home region due to capacity limitations within the home region. In addition, the Statewide Assessment shows that the number of children placed out of State, via the Interstate Compact on the Placement of Children (ICPC), continues to rise each year.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item recognized that Texas is a large State and that, due to the long distances between towns, even a placement in the same county can be far away.

Item 12. Placement with siblings

 X Strength Area Needing Improvement

Case Review Findings

Item 12 was applicable for 22 (55 percent) of the 40 foster care cases. Cases were not applicable if the child did not have a sibling in foster care at any time during the period under review. 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 service or safety needs of one or more of the children. The results of this assessment are presented in the table below.

Item 12	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	4	5	11	20	91
Area Needing Improvement	1	0	1	2	9
Total Applicable Foster Care Cases	5	5	12	22	
Not Applicable Foster Care Cases	5	5	8	18	
Total Foster Care Cases	10	10	20	40	

Item 12 was rated as a Strength in 100 percent of applicable El Paso County cases, 92 percent of applicable Harris County cases, and 80 percent of applicable Dallas County cases.

Item 12 was rated as a Strength when reviewers determined the following:

- The child was in a placement with all siblings (six cases).

- The child was moved after a short time to a placement that could accept all siblings (two cases).
- The child was not placed with all siblings, but the siblings were separated due to the special needs of one or more of the siblings (12 cases).

Item 12 was rated as an ANI in one case in which reviewers determined that, although one child was placed in a specialized setting, no consideration was given to locating a placement for both siblings in a single foster care placement. This item was rated as an ANI in one other case in which reviewers determined that a sibling group of four was split into three foster homes while no efforts were made on the part of the agency to place them together.

Rating Determination

Item 12 was assigned an overall rating of Strength. In 91 percent of the applicable cases, reviewers determined that the agency placed siblings together in foster care whenever possible and appropriate. This percentage meets the 90 percent required for a rating of Strength. This item was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

The Statewide Assessment reports that DFPS policy requires siblings to be placed together when possible. According to the Statewide Assessment, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 95 percent of the cases. The Statewide Assessment describes the challenges of placing large sibling groups together in close proximity to their homes. According to the Statewide Assessment, Texas has developed the CPU to address difficult placement challenges and to assist, in particular, with the placement of sibling groups. In addition, the Statewide Assessment reports that the increase in kinship placements reinforces DFPS efforts to keep siblings together.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that, although DFPS makes consistent efforts to keep siblings together, there are examples of siblings in groups who have been separated due to placement capacity limitations. Some stakeholders indicated that the separation of some sibling groups is due to the therapeutic needs of one child in the group.

Item 13. Visiting with parents and siblings in foster care

Strength Area Needing Improvement

Case Review Findings

Item 13 was applicable for 28 (70 percent) of the 40 foster care cases. Cases were not applicable for an assessment of this item if the child had no siblings in foster care and if one of the following conditions was met with regard to the parents: (1) TPR was established prior to the period under review and parents were no longer involved in the child’s life (or parents were deceased) or (2) visitation

with a parent was considered to be not in the best interests of the child. In assessing this item, reviewers were to determine (1) whether the agency had made, or was making, diligent efforts to facilitate visitation between children in foster care and their parents and siblings in foster care and (2) whether these visits occurred with sufficient frequency to meet the needs of children and families. The findings of this assessment are presented in the table below.

Item 13	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	4	6	8	18	64
Area Needing Improvement	3	1	6	10	36
Total Applicable Foster Care Cases	7	7	14	28	
Not Applicable Foster Care Cases	3	3	6	12	
Total Foster Care Cases	10	10	20	40	

Item 13 was rated as a Strength in 86 percent of applicable El Paso County cases and 57 percent of applicable cases in both Dallas County and in Harris County.

Item 13 was rated as a Strength when reviewers determined that the frequency and quality of visitation with parents and siblings met the needs of the children or that the agency made concerted efforts to promote frequent visitation when appropriate.

Item 13 was rated as an ANI when reviewers determined one or more of the following:

- The agency did not make concerted efforts to promote visitation with the mother (five cases).
- The agency did not make concerted efforts to promote visitation with the father (five cases).
- The agency did not make concerted efforts to promote visitation with siblings (three cases).

Specific information from the case reviews is presented in the table below.

Typical Frequency (during the period under review)	Mother	Father	Siblings
Visits occurred on at least a weekly basis	7 (35%)	4 (25%)	3 (19%)
Visits occurred less than weekly but at least twice a month	2 (10%)	2 (12.5%)	3 (19%)
Visits occurred less than twice a month but at least once a month	3 (15%)	2 (12.5%)	3 (19%)
Visits occurred less frequently than once a month	4 (20%)	3 (19%)	5 (31%)
Visits never occurred	4 (20%)	5 (31%)	2 (12.5%)
Total Applicable Cases	20	16	16

Rating Determination

Item 13 was assigned an overall rating of ANI. In 64 percent of the applicable cases, reviewers determined that the agency had made concerted efforts to ensure that visitation was of sufficient frequency to meet the needs of the family. This percentage is less than the 90 percent required for a rating of Strength. This item was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy provides for a child's parents to maintain regular contact with the child, unless the court indicates otherwise. The Statewide Assessment reports that the caseworker considers the facts of the case in order to develop a visitation and contact plan that supports the child's needs and permanency goal. As indicated in the Statewide Assessment, if the goal is reunification, visitation should occur at least monthly. In addition, the Statewide Assessment indicates that a child in foster care must be given appropriate opportunities to maintain at least monthly contact with siblings who have been placed with other caregivers. According to the Statewide Assessment, DFPS policy requires CPS to demonstrate due diligence in trying to locate missing parents, and the courts specifically examine the question of due diligence at each permanency hearing.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 79 percent of the cases. According to the Statewide Assessment, the State faces challenges in accomplishing visitation goals when children are placed at a distance from the family and when siblings are placed separately. This challenge was attributed to transportation limitations. The Statewide Assessment indicates that FGDM conferences result in plans that outline kinship roles for facilitating visitation and contact among siblings in foster care and their parents.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that children in foster care do not routinely visit with their parents or siblings.

Item 14. Preserving connections

Strength Area Needing Improvement

Case Review Findings

Item 14 was applicable for all 40 foster care cases. In assessing item 14, reviewers were to determine whether the agency had made, or was making, diligent efforts to preserve the child's connections to neighborhood, community, cultural heritage, extended family, faith, and friends while the child was in foster care. This item is not rated on the basis of visits or contacts with parents or siblings in foster care. The results of the assessment are provided in the table below.

Item 14	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	5	8	17	30	75
Area Needing Improvement	5	2	3	10	25
Total Applicable Foster Care Cases	10	10	20	40	
Not Applicable Foster Care Cases	0	0	0	0	
Total Foster Care Cases	10	10	20	40	

Item 14 was rated as a Strength in 85 percent of Harris County cases, 80 percent of El Paso County cases, and 50 percent of Dallas County cases.

Item 14 was rated as a Strength when reviewers determined one or more of the following:

- The agency made concerted efforts to preserve the child’s connections with extended family members and siblings not in foster care (26 cases).
- The agency made concerted efforts to preserve the child’s connections with the school, friends, and community (seven cases).
- The agency made concerted efforts to preserve the child’s connections with his or her religious or cultural heritage (15 cases).
- The agency made concerted efforts to preserve the child’s connections with his or her Tribal affiliation (one case).

Item 14 was rated as an ANI when reviewers determined one or more of the following:

- The agency did not facilitate the child’s connections to extended family members and siblings who are not in foster care (nine cases).
- The agency did not facilitate the child’s connections to friends and community (five cases).
- The agency did not facilitate the child’s connections to his or her cultural and religious heritage (one case).

Rating Determination

Item 14 was assigned an overall rating of ANI. Reviewers determined that in 75 percent of the applicable cases, DFPS made concerted efforts to ensure that children in foster care maintained their connections to extended family, communities, schools, and cultural and religious heritage. This percentage does not meet the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

The Statewide Assessment reports that CPS seeks to place children with relatives, if possible, to preserve important family connections. The Statewide Assessment notes that, although Texas does not have formal title IV-E agreements with Tribes in the State, Texas does adhere to the provisions of the Indian Child Welfare Act in the placement of Native American children, including the provision to provide timely notice to the relevant Tribe.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 91 percent of the cases. According to the Statewide Assessment, Texas uses the following strategies to support connections for children in foster care: enhanced parental involvement, increased use of kinship care, and FGDM. In addition, the Statewide Assessment notes that the training required for caseworkers (i.e., Knowing Who You Are and Undoing Racism) throughout the State is designed to develop awareness, knowledge, and skills to support the racial and ethnic identities of children in foster care.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that kinship placements help children to preserve connections to their community.

Item 15. Relative placement

Strength Area Needing Improvement

Case Review Findings

Item 15 was applicable for 38 (95 percent) of the 40 foster care cases. Cases were not applicable if relative placement was not an option during the period under review because (1) the child was in an adoptive placement at the start of the time period or (2) the child entered foster care needing specialized services that could not be provided in a relative placement. In assessing this item, reviewers were to determine whether the agency had made diligent efforts to locate and assess relatives (both maternal and paternal relatives) as potential placement resources for children in foster care. The results of this assessment are presented in the table below.

Item 15	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	7	3	12	22	58
Area Needing Improvement	1	7	8	16	42
Total Applicable Foster Care Cases	8	10	20	38	
Not Applicable Foster Care Cases	2	0	0	2	
Total Foster Care Cases	10	10	20	40	

Item 15 was rated as a Strength in 88 percent of applicable Dallas County cases, 60 percent of applicable Harris County cases, and 30 percent of applicable El Paso County cases.

Item 15 was rated as a Strength when reviewers determined the following:

- The child was placed with relatives (10 cases).

- The child was not placed with relatives, but diligent efforts were made by the agency to find an appropriate relative placement (nine cases).
- The child was not placed with relatives due to the child's need for a specialized setting, but diligent efforts were made by the agency to place the child with relatives (three cases).

Item 15 was rated as an ANI when reviewers determined the following:

- The agency did not make diligent efforts to search for either maternal or paternal relatives (nine cases).
- The agency made efforts to search for maternal relatives (or maternal relatives were not applicable for this item) but did not make efforts to search for paternal relatives (five cases).
- The agency made efforts to search for paternal relatives but did not make efforts to search for maternal relatives (two cases).

Rating Determination

Item 15 was assigned an overall rating of ANI. In 58 percent of the cases, reviewers determined that the agency had made diligent efforts to locate and assess relatives as potential placement resources. This percentage is less than the 90 percent required for a rating of Strength. This item was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires caseworkers to make every effort to identify and locate noncustodial parents, relatives, or other designated caregivers suitable to care for a child in DFPS conservatorship. The Statewide Assessment reports that DFPS uses FGDM to identify relative support for a family and developed KCAP to promote continuity and stability for children through the facilitation of financial assistance, resources, and support services. In addition, the Statewide Assessment reports that courts examine due diligence on the part of DFPS in locating relatives throughout the life of the case. Further, the Statewide Assessment reports that caseworkers can use the Diligent Search Unit of CPS to locate information on noncustodial parents and relatives. The Statewide Assessment notes that kinship placements are subject to background and criminal history checks and home screenings.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 94 percent of the cases. In addition, the Statewide Assessment reports that the percentage of children placed initially with relatives increased by 28 percent in 2006 and 31 percent in 2007 over the previous years. To assist with the increase in kinship placement, the Statewide Assessment reports that additional Kinship Development Workers have been hired in each region to assist with referrals and provide supportive resources to relative caregivers.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item noted that the use of kinship placement has increased significantly across the State and that DFPS prioritizes the placement of children with their relatives when searching for out-of-home placement options.

Item 16. Relationship of child in care with parents

___ Strength X Area Needing Improvement

Case Review Findings

Item 16 was applicable for 20 (50 percent) of the 40 foster care cases. A case was not applicable if (1) parental rights had been terminated prior to the period under review and parents were no longer involved with the child or (2) a relationship with the parents was considered to be not in the child’s best interests throughout the period under review. In assessing this item, reviewers were to determine whether the agency had made diligent efforts to support or maintain the bond between children in foster care and their mothers and fathers through efforts other than arranging visitation. The results of this assessment are provided in the table below.

Item 16	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	1	3	5	9	45
Area Needing Improvement	2	1	8	11	55
Total Applicable Foster Care Cases	3	4	13	20	
Not Applicable Foster Care Cases	7	6	7	20	
Total Foster Care Cases	10	10	20	40	

Item 16 was rated as a Strength in 75 percent of applicable El Paso County cases, 38 percent of applicable Harris County cases, and 33 percent of applicable Dallas County cases.

Item 16 was rated as a Strength when reviewers determined that the agency made concerted efforts to support and/or strengthen the bond between parents and children. Examples of DFPS efforts to promote bonding between the child and parents include the following:

- Promoting family therapy
- Supporting visitation with supervision and suggested activities
- Encouraging the parents’ participation in school activities and extracurricular activities
- Encouraging and facilitating the parents’ participation in medical care

- Providing or arranging for transportation to facilitate visitation
- Facilitating contact with an incarcerated parent
- Encouraging foster parents to provide mentoring to parents

Item 16 was rated as an ANI when reviewers determined the following:

- The agency did not make concerted efforts to support positive relationships with the mother and father (six cases).
- The agency did not make concerted efforts to support the relationship with the child's father (one case).
- The agency did not make concerted efforts to support the relationship with the child's mother (four cases).

Rating Determination

Item 16 was assigned an overall rating of ANI. In only 45 percent of the cases, reviewers determined that the agency had made concerted efforts to support the parent-child relationships of children in foster care. This percentage is less than the 90 percent required for a rating of Strength. This item was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires caseworkers to establish a visitation and contact plan that supports the relationship of a child in foster care with his or her parents. The Statewide Assessment reports that, unless parental rights have been terminated, the caseworker must support the parent-child relationship by encouraging the parents' participation in case planning, reviews, and hearings. The Statewide Assessment did not provide information related to specific activities to support the relationship of a child in foster care with his or her family.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 85 percent of the cases. According to the Statewide Assessment, the State employs strategies such as FGDM and the identification of relatives to support the parent-child relationship while a child is in foster care. In addition, the Statewide Assessment notes that a Parent Program Specialist, a former recipient of CPS services, represents the parent voice to influence policy and practice at the State level.

Stakeholder Interview Information

During the onsite CFSR, stakeholders interviewed did not comment specifically on this item.

III. CHILD AND FAMILY WELL-BEING

Well-Being Outcome 1

Outcome WB1: Families have enhanced capacity to provide for their children’s needs					
Number of cases reviewed by the team according to degree of outcome achievement					
	Dallas County	El Paso County	Harris County	Total Number	Percent
Substantially Achieved	7	8	10	25	38.5
Partially Achieved	6	6	17	29	44.6
Not Achieved or Addressed	4	3	4	11	16.9
Total Cases	17	17	31	65	

Status of Well-Being Outcome 1

Texas is not in substantial conformity with Well-Being Outcome 1. This outcome was determined to be substantially achieved in only 38.5 percent of cases reviewed, which is less than the 95 percent required for a determination of substantial conformity. The outcome was substantially achieved in 47 percent of El Paso County cases, 41 percent of Dallas County cases, and 32 percent of Harris County cases. The outcome was substantially achieved in 55 percent (22 cases) of 40 foster care cases and 12 percent (3 cases) of 25 in-home services cases.

Key Concerns From the 2002 CFSR

The State also was not in substantial conformity with Well-Being Outcome 1 in its 2002 CFSR. All four items assessed for this outcome were rated as ANIs. The following key concerns were identified at that time with regard to the enhanced capacity of families to provide for their children’s needs:

- The State did not consistently assess the needs of children, parents, and foster parents or provide appropriate services because of a lack of availability of key services and a lack of caseworker follow-up with families to ensure that services were in place.
- The State did not consistently involve the child and family in case planning despite the State requirement that parents be invited to participate in developing the child’s case plan.
- The State did not consistently ensure that caseworker visits with children were of sufficient frequency and quality to achieve the children’s goals despite the State policy requiring monthly contact.
- The State did not consistently ensure that caseworker visits with parents were of sufficient frequency and quality to achieve the goals set for their children, especially in Houston.

To address these concerns, Texas implemented the following strategies:

- Reviewed and modified the service planning forms utilized by caseworkers for developing child and family plans of service
- Operationalized an integrated philosophy and approach to residential child care services centered on individual child needs (Advancing Residential Childcare initiative or ARC Project)
- Developed expertise in identifying and developing services and resources to improve provision of services for assessed needs
- Implemented Family Group Conferencing to improve case planning
- Clarified guidelines regarding who is responsible for visits when multiple staff and/or service providers are involved with the same family
- Utilized the case review system to monitor caseworker contact with the child and with the parents

The State did not meet all of its target goals for this outcome by the end of the PIP implementation period. Specifically, the goals for performance on the measures of caseworker visits with child and caseworker visits with parents were not achieved.

Key Findings of the 2008 CFSR

Similar to the 2002 CFSR, in the 2008 CFSR, all four items in this outcome were rated as ANIs. Case review findings for the 2008 CFSR identified the following concerns:

- There continues to be a lack of consistency in assessing and meeting the services needs of parents (particularly fathers) and children. In the cases reviewed, the agency is more consistently assessing and addressing the needs of children and less effectively assessing and meeting the service needs of mothers or fathers.
- There also continue to be inconsistencies in adequately involving families (particularly fathers) in case planning.
- Caseworkers were more consistent in maintaining visitation with children in the foster care cases, but there were inconsistencies in caseworker visits with children in both the foster care and in-home cases.
- The 2008 CFSR specifically differentiated between mothers and fathers in evaluating the frequency and quality of caseworker visits. In general, there were an insufficient number of caseworker visits, and there were challenges associated with the quality of visits with both parents.

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

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

Strength Area Needing Improvement

Case Review Findings

Item 17 was applicable for all 65 cases. In assessing this item, reviewers were to determine whether the agency had adequately assessed the needs of children, parents, and foster parents and provided the services necessary to meet those needs. This item excludes the assessment of children’s (but not parents’) needs pertaining to education, physical health, and mental health. These issues are addressed in later items. The case review results are provided in the table below.

Item 17	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	7	11	12	30	46
Area Needing Improvement	10	6	19	35	54
Total Cases	17	17	31	65	

Item 17 was rated as a Strength in 65 percent of El Paso County cases, 41 percent of Dallas County cases, and 39 percent of Harris County cases. The item was rated as a Strength in 63 percent (25 cases) of 40 foster care cases and 20 percent (5 cases) of 25 in-home services 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. Item 17 was rated as an ANI when reviewers determined that there was either inadequate assessment of needs or there were inadequate services provided to meet identified needs.

Specific case review findings for item 17 are shown in the table below. These data suggest that the agency is more consistent in assessing and addressing the needs of children in foster care cases and the needs of foster parents. However, the agency is less consistently assessing and meeting the in-home service needs of parents.

Target person for needs assessment and services	Foster Care		In-Home Services	
	Yes	Total	Yes	Total
Mother’s needs assessed and met?	11 (55%)	20	14 (56%)	25
Father’s needs assessed and met?	9 (56%)	16	5 (21%)	24
Child’s needs assessed and met?	38 (95%)	40	16 (64%)	25
Foster parents’ needs assessed and met?	31 (86%)	36		

Rating Determination

Item 17 was assigned an overall rating of ANI. In only 46 percent of the cases, reviewers determined that the State had adequately assessed and addressed the in-home service needs of children and parents. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires that CPS develop a family services plan for both in-home and foster care cases in addition to a child services plan for foster care cases. The Statewide Assessment reports that the services plans must be developed within 45 days for in-home cases and 21 days for foster care cases, documented in the case file, and updated on an ongoing basis throughout the life of the case.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 78 percent of the cases. The Statewide Assessment presents the results of a 2006 evaluation of the FGDM program measuring family and relative satisfaction with FGDM conferences as compared with the traditional Permanency Planning Team conferences. According to this evaluation, parents and relatives who participate in FGDM conferences are more satisfied at the initial meeting and the fifth month meeting and report that they feel empowered, expectations are clearer, and that key issues have been identified in the family service plan.

In addition, the Statewide Assessment reports that CPS has created Subject Matter Expert positions to provide specialized support for staff seeking to address more challenging needs of children and families in the following areas: developmental disabilities, education, substance abuse, law enforcement, youth, well-being, health, legal relations, community initiatives, and resource and external relations.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that the needs of children and families are consistently assessed, and specifically noted that the FGDM process is used to identify and address the needs and safety of the child and family. However, other stakeholders commenting on this item indicated that the ability to effectively assess and meet the needs of children and families in the child welfare system is compromised by high turnover among caseworkers. Several stakeholders indicated that there is inconsistency in the assessment of the needs of foster parents.

Item 18. Child and family involvement in case planning

Strength Area Needing Improvement

Case Review Findings

Item 18 was applicable for 61 (94 percent) of the 65 cases. A case was not applicable if parental rights had been terminated prior to the period under review and parents were not involved with the child in any way, and the child was too young or had cognitive delays or other conditions that were barriers to participation in case planning. In assessing this item, reviewers were to determine whether parents and children (if age appropriate) had been involved in case planning and, if not, whether their involvement was contrary to the

child’s best interests. 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. Findings from this assessment are in the table below.

Item 18	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	8	9	12	29	48
Area Needing Improvement	8	8	16	32	52
Total Applicable Cases	16	17	28	61	
Not Applicable Cases	1	0	3	4	
Total Cases	17	17	31	65	

Item 18 was rated as a Strength in 53 percent of applicable El Paso County cases, 50 percent of applicable Dallas County cases, and 43 percent of applicable Harris County cases. The item was rated as a Strength in 62 percent (23 cases) of 37 applicable foster care cases and 20 percent (5 cases) of 25 in-home services cases.

Item 18 was rated as a Strength when reviewers determined that all appropriate parties had actively participated in case planning or that the agency had made concerted efforts to involve them in case planning. The item was rated as an ANI when reviewers determined that the agency had not made concerted efforts to involve the mother, father, and/or child (when age appropriate) in the case planning process. Specific information from the case reviews is presented in the table below.

Involvement in Case Planning		
Family Member	Involved	Number of Applicable Cases
Mother	33 (73%)	45
Father	16 (40%)	40
Child	32 (68%)	47

Rating Determination

Item 18 was assigned an overall rating of ANI. In only 48 percent of the applicable cases, reviewers determined that the agency had made diligent efforts to involve parents and/or children, when appropriate, in the case planning process. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires parents and youth over 16 to be asked to participate in developing the child’s plan of service. In addition, the Statewide Assessment notes that CPS is required to conduct a diligent search for absent parents

in order to strengthen the supportive resources available to the child. The Statewide Assessment notes that DFPS has a policy in place requiring the child’s participation in case planning unless the child is too young to participate.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 81 percent of the cases. According to the Statewide Assessment, Texas uses the FGDM process to involve family and community in case planning both for children in foster care and for families receiving in-home services. The Statewide Assessment reports that 4,166 family group conferences were held between March 2004 and August 2006, of which 1,091 were Circles of Support meetings for youth.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item noted that parents and families are involved in the FGDM conferences to provide support for case planning. Some stakeholders noted that there is inconsistency with regard to the involvement of youth in the development of their case plans. The majority of stakeholders commenting on this item expressed the opinion that the involvement of children and youth in case planning is minimal. However, some stakeholders across the sites and at the State level reported a high level of satisfaction with the FGDM youth model, known as Circles of Support, which is used to plan for emancipation.

Additional information on stakeholder perceptions of the case planning process is provided under item 25 in the Systemic Factors section of the report.

Item 19. Caseworker visits with child

Strength Area Needing Improvement

Case Review Findings

Item 19 was applicable for all 65 cases. In conducting the assessment of this item, reviewers were to determine whether the frequency of visits between the caseworkers and children was sufficient to ensure adequate monitoring of the child’s safety and well-being, and whether visits focused on issues pertinent to case planning, service delivery, and goal attainment. The results of the assessment are presented in the table below.

Item 19	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	13	11	24	48	74
Area Needing Improvement	4	6	7	17	26
Total Cases	17	17	31	65	

Item 19 was rated as a Strength in 77 percent of Harris County cases, 76 percent of Dallas County cases, and 65 percent of El Paso County cases. The item was rated as a Strength in 88 percent (35 cases) of 40 foster care cases and 52 percent (13 cases) of 25 in-home services cases.

Item 19 was rated as a Strength when reviewers determined that the frequency and quality of visits between caseworkers and children were sufficient to ensure adequate monitoring of the child’s safety and well-being and promote attainment of case goals. Item 19 was rated as an ANI when reviewers determined that the frequency of caseworker visits was not sufficient to meet the needs of the child, and the visits did not focus on issues pertinent to case planning, service delivery, and goal attainment.

Specific information from the case reviews is presented in the table below.

Typical frequency of caseworker visits with child (during the period under review)	Foster Care Cases (Number and Percent)	In-Home Services Cases (Number and Percent)
Visits occurred on at least a weekly basis	1 (2.5%)	1 (4%)
Visits occurred less than weekly but at least twice a month	5 (12.5%)	3 (12%)
Visits occurred less than twice a month but at least once a month	32 (80%)	13 (52%)
Visits occurred less frequently than once a month	2 (5%)	6 (24%)
Visits never occurred	0	2 (8%)
Total Cases	40	25

Rating Determination

Item 19 was assigned an overall rating of ANI. In 74 percent of the cases, reviewers determined that caseworker visits with children were of sufficient frequency and quality. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires caseworkers to have initial and ongoing face-to-face contact with children in foster care and with families receiving in-home services once a month at a minimum, and weekly for intensive in-home cases. The Statewide Assessment reports that caseworkers are required to spend time alone with the child and allow for time to see the parent and child interact.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 74 percent of the cases. The Statewide Assessment acknowledges that the distance of the child’s placement, unplanned caseworker absences, and staff vacancies affect caseworker visits with children. The Statewide Assessment indicates that several process improvements have enhanced the ability of caseworkers to maintain contact with families. For example, the Statewide

Assessment notes that the introduction of tablet PCs allows caseworkers to document visits in the field; new functional units within CPS enable caseworkers to spend more time with children; new performance management reports are available to assist supervisors to better manage emerging case-related issues; a workforce of I See You workers are assigned to monitor placements across regions to maintain the continuity of visits; and a new case transfer protocol is in place to ease the communication between investigation caseworkers and case managers.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that caseworkers’ visits with children in foster care were not consistently conducted. Several stakeholders noted that caseworkers carry high caseloads, which may interfere with their ability to conduct regular visits with children in foster care.

Item 20. Caseworker visits with parents

Strength Area Needing Improvement

Case Review Findings

Item 20 was applicable for 47 (72 percent) of the 65 cases. Cases were not applicable for this assessment if parental rights had been terminated prior to the period under review, and parents were no longer involved in the lives of the children. All cases that were not applicable were foster care cases. Reviewers were to assess whether the caseworker’s face-to-face contact with the children’s mothers and fathers was of sufficient frequency and quality to promote attainment of case goals and/or ensure the children’s safety and well-being. The results of this assessment are presented in the table below.

Item 20	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	3	2	5	10	21
Area Needing Improvement	8	9	20	37	79
Total Applicable Cases	11	11	25	47	
Not Applicable Cases	6	6	6	18	
Total Cases	17	17	31	65	

Item 20 was rated as a Strength in 27 percent of applicable Dallas County cases, 20 percent of applicable Harris County cases, and 18 percent of applicable El Paso County cases. The item was rated as a Strength in 23 percent (5 cases) of 22 applicable foster care cases and 20 percent (5 cases) of 25 in-home 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. Item 20 was rated as an ANI when reviewers determined one or more of the following:

- Visits with the father were not of sufficient frequency (28 cases).
- Visits with the father were not of sufficient quality (11 cases).
- Visits with the mother were not of sufficient frequency (17 cases).
- Visits with the mother were not of sufficient quality (12 cases).

Specific information from the case reviews is presented in the table below.

Typical frequency of caseworker visits with parents (during the period under review)	Foster Care Cases		In-Home Services Cases	
	Mother	Father	Mother	Father
Visits occurred on a weekly basis	1 (5%)	0	2 (8%)	0
Visits occurred less than weekly but at least twice a month	4 (18%)	2 (13%)	4 (16%)	1 (4%)
Visits occurred less than twice a month but at least once a month	4 (18%)	3 (20%)	12 (48%)	2 (8%)
Visits occurred less frequently than once a month	9 (41%)	7 (47%)	6 (24%)	8 (33%)
There were no visits during the period under review	4 (18%)	3 (20%)	1 (4%)	13 (54%)
Total Applicable Cases	22	15	25	24

Rating Determination

Item 20 was assigned an overall rating of ANI. In only 21 percent of the applicable cases, reviewers determined that the frequency and quality of caseworker visits with parents were sufficient to monitor the safety and well-being of the child or promote attainment of case goals. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires monthly contact with parents in cases where the goal is reunification. The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 54 percent of the cases. The Statewide Assessment acknowledges that data management problems have impeded the ability of DFPS to collect data on the frequency and content of caseworker visits with families. In addition, the Statewide Assessment notes that there is a need to improve the location of and involvement of noncustodial and incarcerated parents in case planning. The Statewide Assessment describes the following process changes that have been implemented to improve the frequency and quality of visits with parents: functional units, tablet PCs, performance management reports, and case transfer protocols.

Stakeholder Interview Information

During the onsite CFSR, stakeholders interviewed did not comment specifically on this item.

Well-Being Outcome 2

Outcome WB2: Children receive appropriate services to meet their educational needs					
Number of cases reviewed by the team according to degree of outcome achievement					
	Dallas County	El Paso County	Harris County	Total Number	Percent
Substantially Achieved	8	9	17	34	97.1
Not Achieved	0	1	0	1	2.9
Total Applicable Cases	8	10	17	35	
Not Applicable Cases	9	7	14	30	
Total Cases	17	17	31	65	

Status of Well-Being Outcome 2

Texas is in substantial conformity with Well-Being Outcome 2. The outcome was determined to be substantially achieved in 97.1 percent of cases reviewed, which meets the 95 percent required for substantial conformity. The outcome was substantially achieved in 100 percent of applicable Harris County and Dallas County cases, and 90 percent of applicable El Paso County cases. The outcome was substantially achieved in 100 percent of 32 applicable foster care cases and in 33 percent (1 case) of the 3 applicable in-home cases.

Key Concerns From the 2002 CFSR

The State was not in substantial conformity with Well-Being Outcome 2 in its 2002 CFSR because item 21 (education needs) was rated as an ANI. The key concerns identified at that time with regard to meeting the educational needs of children were:

- Educational needs had not been appropriately assessed.
- When a child had been referred for educational services, a review of the case file could not confirm whether services had been provided.

To address these concerns, Texas implemented the following strategies:

- Improved the ability to monitor achievement of educational outcomes by removing communication barriers between systems
- Developed effective advocacy for special educational needs of children and youth in substitute care

- Increased staff knowledge of education resources, particularly special education resources, and the relationship to overall case planning
- Reduced school moves during the school year of children in substitute care and, when a move is required, improved the timely transfer of all educational records

Texas met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

The State achieved substantial conformity with this outcome in the 2008 CFSR. In the cases reviewed, DFPS ensured that children’s educational needs were met in a variety of ways. The agency consistently assessed children’s educational needs and maintained consistent contact with children’s schools. In addition, the agency consistently assessed and documented children’s educational needs in order to ensure that specialized services, tutoring, or Individual Educational Plans were in place.

The findings pertaining to the specific item assessed under Well-Being Outcome 2 are presented below.

Item 21. Educational needs of the child

Strength Area Needing Improvement

Case Review Findings

Item 21 was applicable for 35 (54 percent) of the 65 cases reviewed. Cases were not applicable if either of the following applied: (1) children were not of school age, or (2) children in in-home cases did not have service needs pertaining to education. 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 are provided below.

Item 21	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	8	9	17	34	97
Area Needing Improvement	0	1	0	1	3
Total Applicable Cases	8	10	17	35	
Not Applicable Cases	9	7	14	30	
Total Cases	17	17	31	65	

Item 21 was rated as a Strength when reviewers determined that the child's educational needs were appropriately assessed and services were provided, if necessary. Examples of ways DFPS ensured that children's educational needs were met include the following:

- The agency assessed the child's educational needs and maintained consistent contact with the child's school in order to monitor the child's school performance (17 cases).
- The agency assessed the child's educational needs and ensured that specialized services, tutoring, or an IEP was in place (17 cases).

Item 21 was rated as an ANI in one in-home services case in which the agency had not addressed educational issues although information contained in the investigation report indicated significant educational needs.

Rating Determination

Item 21 was assigned an overall rating of Strength. In 97 percent of the applicable cases, reviewers determined that the agency had made diligent efforts to meet the educational needs of children. This percentage is greater than the 95 percent required for a rating of Strength. This item was rated as an ANI in the State's 2002 CFSR.

Note: The requirements for rating this item are different because there is only one item assessed under the outcome. For the other outcomes, an item rating of 90 percent is considered sufficient for a Strength rating because there are multiple items within the outcome. For item 21, the rating of either a Strength or an ANI is based on the same criteria as the rating of Substantial Conformity.

Statewide Assessment Information

According to the Statewide Assessment, DFPS developed a new educational policy effective September 1, 2007, that addresses the importance of maintaining regular school instruction for children in DFPS conservatorship. The Statewide Assessment reports that the new policy requires that children in foster care have an education portfolio containing current copies of academic testing, immunization records, birth certificates, and individual evaluations for children with special needs. Additionally, the Statewide Assessment reports that the educational needs of children receiving services in their own homes are considered by caseworkers in the development of the family service plan.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 94 percent of the cases. In addition to the new education portfolio, the Statewide Assessment reports that DFPS has developed the position of Education Specialist to improve the educational advocacy for children in foster care.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that it is challenging to provide educational support and continuity for children in foster care. Several stakeholders indicated that Educational Specialists in each region can support caseworkers by providing linkages to school districts to meet the needs of children.

Well-Being Outcome 3

Outcome WB3: Children receive adequate services to meet their physical and mental health needs					
Number of cases reviewed by the team according to degree of outcome achievement					
	Dallas County	El Paso County	Harris County	Total Number	Percent
Substantially Achieved	9	9	21	39	69.6
Partially Achieved	0	3	2	5	8.9
Not Achieved or Addressed	6	3	3	12	21.4
Total Applicable Cases	15	15	26	56	
Not Applicable Cases	2	2	5	9	
Total Cases	17	17	31	65	

Status of Well-Being Outcome 3

Texas is not in substantial conformity with Well-Being Outcome 3. The outcome was determined to be substantially achieved in 69.6 percent of applicable cases, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 81 percent of applicable Harris County cases, and 60 percent of applicable Dallas County and El Paso County cases. The outcome was substantially achieved in 80 percent (32 cases) of 40 foster care cases and 44 percent (7 cases) of 16 applicable in-home services cases.

Key Concerns From the 2002 CFSR

The State also was not in substantial conformity with Well-Being Outcome 3 in its 2002 CFSR. Both item 22 (physical and dental health needs) and item 23 (mental health needs) were rated as ANIs. In the 2002 CFSR, reviewers found that State policy requires health assessments and documentation. However, reviewers noted the following key concerns with respect to the State’s ability to meet the physical and mental health needs of children:

- For foster care cases, health assessments were not conducted in a timely manner, and there was a lack of documentation of health services and immunization records in the case records.
- For in-home services cases, there were health issues of concern for the children that the State did not address.

- For foster care cases, mental health services were sometimes recommended but not provided; there was inadequate follow-up on mental health services to ensure that they were being provided or there was a lack of awareness of extant mental health issues.

To address these concerns, Texas implemented the following strategies:

- Developed expertise in identifying and developing services and resources
- Clarified guidelines for meeting specific physical health needs for the child
- Strengthened the availability of substance abuse assessment and treatment services and resources

Texas met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

In the 2008 CFSR, item 22 (physical and dental health services) and item 23 (mental health services) were rated as ANIs. In terms of meeting the physical and dental health needs of children, there were inconsistencies in the provision of health assessments and dental services. There also were inconsistencies identified in assessing and addressing the mental health needs of children.

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

Case Review Findings

Item 22 was applicable for 48 (74 percent) of the 65 cases reviewed. Cases that were not applicable were in-home services cases in which physical health concerns were not an issue. In assessing this item, reviewers were to determine whether (1) children’s physical health needs (including dental 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 are presented in the table below.

Item 22	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	9	10	21	40	83
Area Needing Improvement	2	3	3	8	17
Total Applicable Cases	11	13	24	48	
Not Applicable Cases	6	4	7	17	
Total Cases	17	17	31	65	

Item 22 was rated as a Strength in 88 percent of applicable Harris County cases, 82 percent of applicable Dallas County cases, and 77 percent of applicable El Paso County cases. The item was rated as a Strength in 88 percent (35 cases) of 40 foster care cases and 63 percent (5 cases) of 8 applicable in-home services cases.

Item 22 was rated as a Strength when reviewers determined that children's health needs (medical and dental) were routinely assessed and services provided as needed. Item 22 was rated as an ANI when reviewers determined the following:

- The agency provided medical and dental health assessments but did not provide all necessary services (four cases).
- The agency did not assess or address medical or dental health needs (two cases).
- The agency provided medical assessments but did not provide a dental assessment or dental care (two cases).

Rating Determination

Item 22 was assigned an overall rating of ANI. In 83 percent of the applicable cases, reviewers determined that the agency was adequately addressing the health needs of children. This percentage does not meet the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, DFPS and RCCL policies require caseworkers to work with caregivers to ensure that children in foster care receive all preventive and necessary medical and dental care, including initial and annual examinations, initial dental examinations, ongoing visits every 6 months, immunizations, and necessary follow-up visits. In addition, the Statewide Assessment notes that the medical and dental needs of children receiving in-home services are considered in the development of the family services plan.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 86 percent of the cases. The Statewide Assessment acknowledges that the challenges facing Texas in providing regular medical and dental care include placement changes and delays in transitioning from Temporary Assistance to Needy Families (TANF) Medicaid to DFPS Medicaid. The Statewide Assessment notes that DFPS is coordinating with the Texas Health and Human Services Commission to implement a comprehensive health-care program for children in DFPS conservatorship. In addition, the Statewide Assessment reports that regional nurses, developmental disability specialists, and well-being specialists provide expertise to CPS staff regarding children's health-care issues during all stages of service.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item noted that nurse consultants provide helpful assistance in identifying resources for children in different regions of the State. Some stakeholders also noted that youth consistently receive medical and dental care.

Item 23. Mental health of the child

Strength Area Needing Improvement

Case Review Findings

Item 23 was applicable for 41 (63 percent) of the 65 cases reviewed. Cases were not applicable if the child was too young for an assessment of mental health needs or if there were no mental health concerns. 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 are presented in the table below.

Item 23	Dallas County	El Paso County	Harris County	Total Number	Percent
Strength	6	7	15	28	68
Area Needing Improvement	6	4	3	13	32
Total Applicable Cases	12	11	18	41	
Not Applicable Cases	5	6	13	24	
Total Cases	17	17	31	65	

Item 23 was rated as a Strength in 83 percent of applicable Harris County cases, 64 percent of applicable El Paso County cases, and 50 percent of applicable Dallas County cases. The item was rated as a Strength in 83 percent (24 cases) of 29 applicable foster care cases and 33 percent (4 cases) of 12 applicable in-home services cases.

Item 23 was rated as a Strength when reviewers determined that children’s mental health needs were appropriately assessed and the identified mental health needs were addressed. Item 23 was rated as an ANI when reviewers determined the following:

- Mental health needs were assessed but not properly addressed (five cases).
- Mental health needs were neither assessed nor addressed (eight cases).

Ratings Determination

Item 23 was assigned an overall rating of ANI. In 68 percent of the applicable cases, reviewers determined that the agency had made concerted efforts to address the mental health needs of children. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires caseworkers to assess the children's mental and behavioral health needs for both foster care and in-home cases. Further, the Statewide Assessment reports that children under the age of 3 are referred to Early Childhood Intervention for assessment. However, there is no assessment required for children over 3 years of age.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, this item was rated as a Strength in 85 percent of the cases. The Statewide Assessment notes that a lack of community resources, a lack of coordination of resources, and inaccessibility to mental health and behavioral health care impede the ability of DFPS to provide needed services to children and families. In addition, the Statewide Assessment reports that a family's financial inability to access appropriate services to meet the needs of the child is often a barrier in preventing the need for a removal and can also hinder reunification efforts.

The Statewide Assessment reports that, although the use of psychotropic medications is declining among the foster care population, the State DSHS developed medication guidelines for foster children to ensure that medication prescribed to children is beneficial in meeting their individual therapeutic needs. The Statewide Assessment notes that foster parents and employees of child care facilities who are designated child care staff and who administer psychotropic medications are required to successfully complete training on psychotropic medications annually.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated a lack of available behavioral and mental health services for children in foster care. Additionally, some stakeholders noted that the use of psychotropic medications for children in foster care appears to be rising and that there is a lack of oversight for it.

SECTION B: SYSTEMIC FACTORS

This section of the CFSR Final Report provides information regarding the State’s substantial conformity with the seven systemic factors examined during the CFSR. Information on the items included under each systemic factor comes from the Statewide Assessment and from interviews with stakeholders held during the onsite CFSR. It should be noted that ratings for the systemic factors are not based on single comments from an individual stakeholder; however, these comments are included in the report when they provide important insight or clarification regarding the State’s performance on a particular systemic factor.

A score for substantial conformity is established for each systemic factor. Score of 3 and 4 represent substantial conformity. Scores of 1 and 2 mean that the State is not in substantial conformity with the requirements of that systemic factor. Specifically, a score of 4 is given when all of the Child and Family Services Plan (CFSP) or program requirements are in place and functioning as described in each requirement. A score of 3 is given when all of the CFSP or program requirements are in place and no more than one of the requirements fails to function as described in each requirement. A score of 2 indicates that some or all of the CFSP or program requirements are in place but more than one of the requirements fail to function as described in each requirement. A score of 1 indicates that none of the CFSP or program requirements are in place.

Rating the Systemic Factor			
Not in Substantial Conformity		Substantial Conformity	
1	2	3	4
None of the CFSP or program requirements are in place.	Some or all of the CFSP or program requirements are in place, but more than one of the requirements fail to function as described in each requirement.	All of the CFSP or program requirements are in place, and no more than one of the requirements fails to function as described in each requirement.	All of the CFSP or program requirements are in place and functioning as described in each requirement.

Information also is provided regarding the State’s performance on each systemic factor for the State’s first CFSR. If the systemic factor was part of the State’s PIP, the key concerns addressed in the PIP and the strategies for assessing those concerns are noted.

I. STATEWIDE INFORMATION SYSTEM

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

Status of Statewide Information System

Texas is in substantial conformity with the systemic factor of Statewide Information System. The Texas Statewide Automated Child Welfare Information System (SACWIS) is called Information Management Protecting Adults and Children in Texas (IMPACT). Texas also was in substantial conformity with this systemic factor in the 2002 CFSR and therefore the State was not required to address this factor in the PIP. Findings for the item assessed for this factor are presented below.

Item 24. State is operating a Statewide Information System that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care

 X Strength _____ Area Needing Improvement

Item 24 is rated as a Strength because the State’s information system can identify the status, demographic characteristics, location, and goals for all children in foster care. In addition, IMPACT functions as a strong case management tool by allowing for extensive reporting and tracking capabilities. In the State’s 2002 CFSR, this item also was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, IMPACT was developed in 2003 and built on the success of the previous information system, the Child and Adult Protective System (CAPS). The Statewide Assessment reports that IMPACT is available statewide 24 hours a day, 7 days a week, and supports all aspects of casework from intake to post-adoption services. The Statewide Assessment reports that IMPACT can identify the status, demographic characteristics, location, and goals for the placement of every child who is in foster care, and goes beyond that to serve as a strong case management tool providing reporting and tracking capability.

As indicated in the Statewide Assessment, the Texas DFPS rolled out a Mobile Protective Services (MPS) component of IMPACT in August 2006 issuing tablet personal computers to CPS caseworkers. Full implementation of MPS was completed by August 2007.

Information entered into MPS is synchronized with the full case automation system at a later time to allow for both maximum caseworker flexibility in the field and a complete review of the case record in the office.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item identified the following key strengths of the IMPACT system:

- The system can identify the legal status, demographic characteristics, location, and goals for every child who is in foster care throughout all stages of service.
- The system is capable of generating reports that provide management with additional tools to improve service delivery. Weekly reports are used to address areas of concern across programs, develop training and policy, and identify cases requiring additional resources.
- Data quality improvement teams meet quarterly to improve data quality, coordinate policy, and resolve caseworkers’ concerns.
- The system contains policy updates online that assist and remind caseworkers concerning requirements and timelines.
- The system includes children served in the juvenile justice system and reported in AFCARS.

Some stakeholders reported, however, that data systems are complex to use and require more training for caseworkers than is currently available. Stakeholders noted that IMPACT is not accessible to partners such as law enforcement, Tribes, and private agencies.

II. CASE REVIEW SYSTEM

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

Status of Case Review System

Texas is not in substantial conformity with the systemic factor of Case Review System. Texas was in substantial conformity with this systemic factor in its 2002 CFSR, and therefore was not required to address this factor in the PIP. Findings with regard to the specific items assessed for this factor are presented below.

Item 25. The State 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

X Area Needing Improvement

Item 25 is rated as an ANI because, while the State has developed an effective process through FGDM to ensure that each child has a written case plan that was developed jointly with parents, the FGDM process is not consistently implemented across the State, which can result in parents not being meaningfully involved in case planning. For example, there do not appear to be clearly established criteria for determining who receives FGDM and how FGDM is assigned. In addition, the Statewide Assessment indicates that families were not involved in case planning in 20 percent of cases reviewed in 2008. In the State's 2002 CFSR, this item also was rated as an ANI.

The findings of the Onsite Review with regard to child and family involvement in case planning (item 18) shows that this item was rated as an ANI in 52 percent of the 61 applicable cases reviewed. The rating was due to the lack of involvement of one or more of the following: 60 percent (24 cases) of fathers and 27 percent (12 cases) of mothers.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires that children's service plans must be developed within 45 days from the date the child enters substitute care and reviewed in the fifth and ninth month that the child is in foster care when the case is in temporary legal status, and every 6 months when DFPS has PMC of the child. When a child remains in the home, a Family Service Plan must be developed within 21 days of the case opening and must be reviewed every 3 months. The Statewide Assessment indicates that parents and providers are involved in service plan development and invited to participate in one of a few meeting formats that is chaired by a FGDM facilitator. Meeting formats include Family Team Meetings, Family Group Conferences, and Permanency Conferences.

The Statewide Assessment also reports that DFPS believes that the FGDM approach encourages parents to participate and to have a voice in the development of goals and objectives necessary to maintain the safety, permanency, and well-being of their children. According to the Statewide Assessment, the FGDM program was evaluated in 2006 and the findings indicate increased family satisfaction, reduced child anxiety after a conference, and more individualized service planning compared to the traditional use of Permanency Planning Team conferences. The Statewide Assessment reports that the FGDM approach helps to involve not only parents but also extended family members and community partners in finding creative solutions for family problems.

The Statewide Assessment reports that, in a review of a random sample of cases for the first quarter of FY 2008, 81 percent of the cases reviewed had an appropriate case plan. The Statewide Assessment reports that 4,166 family group conferences were held between March 2004 and August 2006, of which 1,091 were Circles of Support meetings for youth.

Texas provided supplemental data to the Statewide Assessment from IMPACT regarding the rate of completion of the Initial Child Plan for Children in Open Substitute Care within 60 days for the time period September 2006 through March 2007. Data is provided

for the development of a case plan within 60 days although the State’s policy requires the development of a case plan within 45 days. The data show a range throughout the period for completion of the case plan of 76.1 percent to 82.1 percent.

In addition, Texas provided supplemental data to the Statewide Assessment from select quarterly reviews of 360 cases using the Federal CFSR instrument regarding compliance with item 18 (child and family involvement in case planning). The data shows that the child (when appropriate) and family were involved in case planning in:

- 78 percent of 345 applicable cases reviewed in the first quarter of FY 2007
- 80.5 percent of 333 applicable cases reviewed in the first quarter of FY 2008

Stakeholder Interview Information

During the onsite CFSR, several stakeholders commenting on this item expressed the opinion that case plans are developed in a timely fashion because the courts require them to be presented during hearings. However, although some stakeholders suggested that the introduction of FGDM has improved the quality of case planning, other stakeholders reported that parents are not meaningfully involved in case planning and that case plans are not individualized to meet the unique needs of each family. Stakeholders noted that FGDM is inconsistently utilized across the State. Some stakeholders also noted that increased caseload and caseworker turnover have resulted in a reduction in the quality and timeliness of case planning, both in meeting the 45-day timeframe and on an ongoing basis.

Item 26. The State provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review

 X Strength _____ Area Needing Improvement

Item 26 is rated as a Strength because periodic reviews of the status of each child in foster care are generally held by the courts at least every 6 months and usually more often. Court reviews are held every 6 months as required by the Texas Family Code. In the State’s 2002 CFSR, this item also was rated as a Strength.

The title IV-E Eligibility Review held in May 2006 found that the State’s court orders, as well as reviews, are timely and required more frequently by Texas statute than by Federal regulation.

Statewide Assessment Information

According to the Statewide Assessment, DFPS internally reviews the Family Service Plan and the Child Service Plan in the fifth month that a child is in foster care, in the ninth month, and every 6 months thereafter. The Statewide Assessment also notes that when a child remains in the home, a Family Service Plan is developed within 21 days and reviewed internally every 3 months while services are being provided. The Statewide Assessment does not provide data on the percentage of periodic reviews that were held in a timely manner.

The Statewide Assessment reports that the IMPACT system alerts caseworkers when periodic reviews are scheduled and contains timelines to ensure that casework is completed in time for the hearing. The Statewide Assessment notes that in El Paso County, the model court developed The Wheel, a program to rotate attorney assignments equally among a set of experienced and committed attorneys to enhance collaboration between parties, resolve conflict, and promote professional development.

Texas provided supplemental data to the Statewide Assessment from IMPACT for the 12-month period ending March 2007 reflecting that, statewide, 96.3 percent of children in conservatorship had the periodic review legal action needed overall. For those children in temporary managing conservatorship, 97.4 percent had the periodic review legal action needed. For those children in PMC, 94.4 percent had the periodic review legal action needed.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that reviews of cases of children in foster care are held at least every 6 months and sometimes more frequently. Some stakeholders noted that because Texas does not have an administrative review process, the courts conduct all reviews and set future hearings at the time of the current hearing to facilitate notice. Some stakeholders reported that continuances are rare and that the courts and agencies collaborate to coordinate calendars. Stakeholders also noted that subsequent hearing dates are scheduled during hearings.

Item 27. The State 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

 X Strength Area Needing Improvement

Item 27 is rated as a Strength because permanency hearings are generally held within 12 months of the child's removal from the home and entrance into foster care. In the State's 2002 CFSR, this item also was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, the courts hold permanency hearings when a child has been in foster care 6 months, and every 4 months thereafter while the case is in temporary legal status. If a final order is issued in which DFPS receives PMC, a placement review hearing is held annually thereafter.

Texas provided supplemental data to the Statewide Assessment from IMPACT for the 12-month period ending March 2007 reflecting that, for permanency hearings held within the Federal guideline of 12 months from the child's entering care, there was a range of 89.9 percent to 90.8 percent held timely. For the 12-month period ending March 2008, the data shows that permanency hearings were held timely within 12 months of the child's entering care in 90.5 percent to 91.4 percent of the cases.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites expressed the opinion that permanency hearings occur at least every 12 months, and sometimes more frequently if the court determines that the case requires closer monitoring. Some stakeholders indicated that continuances are rare in permanency hearings. Additionally, some stakeholders indicated that the hearings are designed for permanency because the first 12-month permanency hearing is expected to result in reunification or move the child toward conservatorship or adoption.

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

Strength Area Needing Improvement

Item 28 is rated as a Strength because the State has a process in place for the filing of a TPR petition for every child no later than 45 days after they enter State custody. In the State’s 2002 CFSR, this item also was rated as a Strength.

Case review findings show that, at the time of the Onsite Review, 84 percent (26 cases) of the 31 cases regarding children who had been in foster care for 15 of the most recent 22 months were in compliance with ASFA requirements regarding TPR.

Statewide Assessment Information

According to the Statewide Assessment, the Texas Family Code requires DFPS to file a suit affecting the parental child relationship no later than 45 days after the department assumes control and custody. The court is required to either dismiss this suit or grant PMC to DFPS within 12 months. The Statewide Assessment states that, in a majority of cases, DFPS files its initial pleadings requesting that the court either reunify the children with the family once the court has determined that the children can be safely reunified or, in the alternative, that parental rights be terminated. The Statewide Assessment does not provide data on the percentage of TPR petitions filed in a timely manner.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item across the sites and at the State level expressed an awareness of a 12-month timeline for achieving permanency. Some stakeholders commenting on this item reported that a TPR petition is filed for virtually every case as the child comes into care. Stakeholders expressed the opinion that this timeline can be extended for an additional 18 months (in 6-month intervals) if a family is working toward reunification or other permanent placement, such as a relative placement. According to stakeholders, the practice to file petitions for TPR is driven by court requirements for permanency hearings, and attorneys are attentive to statutory timelines. Some stakeholders indicated that compelling reasons not to terminate parental rights include permanent placement with relatives or when an older child is in foster care prior to emancipation.

Some stakeholders explained that reunification is the primary goal for most cases; however, a final order to terminate parental rights and award PMC to DFPS is expected within 12 months if the child has not been reunified by that time. Some stakeholders noted that the practice of granting PMC to DFPS without a TPR is problematic, and for some children it serves as a barrier to permanency. In addition, some stakeholders noted that once PMC is granted, there is no formal method for tracking and reviewing these cases. Some stakeholders also noted that when PMC is granted to relatives or other kinship caregivers without a TPR, families do not receive the ongoing benefits they would have otherwise been entitled to receive through an adoption.

Item 29. The State provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child

 Strength X Area Needing Improvement

Item 29 is rated as an ANI because, although the agency has a policy in place to provide notification of hearings and reviews to foster parents, pre-adoptive parents, and relative caregivers of children in foster care, compliance and consistency vary from county to county depending on the court involved. In some counties the agency is responsible for providing notice to these parties, and in other counties the court is responsible for providing notice. Some courts do encourage youth and foster parent attendance in hearings and provide the opportunity for them to be heard; others do not. In the State’s 2002 CFSR, this item was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, DFPS policy requires that substitute care providers (including foster parents, pre-adoptive parents, and relative caregivers) be given notice of court review hearings and permanency planning meetings held with respect to the child in their care so that they can attend and present testimony, if desired. According to the Statewide Assessment, in 2005 DFPS began moving toward a service delivery system that relies upon FGDM as the way families are included in the case planning process and notified of hearings and reviews.

Stakeholder Interview Information

During the onsite CFSR, some stakeholders commenting on this item indicated that caregivers are consistently notified regarding hearings and reviews and that the courts welcome their input. However, other stakeholders reported that notice of reviews is not consistently given to caregivers and that the responsibility for and effectiveness of notification tends to vary across counties in the State. Some stakeholders noted that if the caregivers attended a hearing, they would receive information about the date of the next hearing. Some stakeholders remarked that it is often difficult for working foster parents to attend the hearings.

III. QUALITY ASSURANCE SYSTEM

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

Status of Quality Assurance System

Texas is in substantial conformity with the systemic factor of Quality Assurance. In the 2002 CFSR, Texas also was in substantial conformity with this systemic factor and therefore was not required to address this factor in the PIP. Findings with regard to the specific items assessed for this factor are presented below.

Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children

 X Strength Area Needing Improvement

Item 30 is rated as a Strength because the State has in place effective licensing standards and policies to ensure that children in foster care are provided quality services, including practice guidelines for caseworkers to follow when visiting children, and for administrative staff to follow when conducting contract reviews. This item also was rated as a Strength in the 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the law and policy governing child protective practice, foster home licensing and monitoring, child fatality reviews, administrative and court reviews of children in foster care, criminal and child abuse/neglect background checks, and documentation requirements are established in the CPS handbook and are in compliance with Federal requirements. The Statewide Assessment also notes that there was a CPS reform initiative that resulted in the development of performance indicators and expectations to support positive client outcomes, client safety, policy compliance, effective community engagement, and the efficient use of agency resources. The Statewide Assessment reports that the DFPS Commissioner traveled around the State in the summer of 2007 to meet with providers of foster care services to directly hear and respond to questions and concerns about their relationships with CPS and ways to improve the quality of foster care services.

Stakeholder Interview Information

During the onsite CFSR, several stakeholders commenting on this item indicated that there is a new standard covering, among other things, the maximum number of children in a foster home or facility and that this standard represents a positive change with regard to ensuring quality services and safety for children in foster care. However, while some stakeholders agree that the new standards are in place and improve quality, others reported that the standards create additional financial and documentation burdens on both the agency and foster homes. Some stakeholders in El Paso County noted that minimum standards are in place for contractors providing services to CPS.

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

 X Strength Area Needing Improvement

Item 31 is rated as a Strength because the State has a robust quality assurance (QA) system that is similar to the CFSR process. Supervisors utilize information and data reports from the QA results to provide feedback to caseworkers to inform their casework practice as well as to track emerging themes. Regional DFPS offices use the QA results and develop plans to increase compliance. Both supervisors and program directors are required to read a certain number of cases. In the State's 2002 CFSR, this item also was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, in 2002, the Accountability Division of DFPS institutionalized a statewide QA process that mirrors the case review process used in the CFSR. Results from the reviews, which are conducted on an ongoing basis, are shared with staff assigned to the cases, as well as regional and State management, to monitor practice and to affect practice improvement. The Statewide Assessment reports that 5,048 case reviews were conducted across all regions of the State during the PIP implementation period. Promising practices in one region are shared with all regions.

In addition, the Statewide Assessment reports that performance expectations were identified that support positive client outcomes, client safety, policy compliance, effective community engagement, and efficient use of agency resources. The Statewide Assessment states that the performance of each region against statewide targets for safety, permanency, and well-being is assessed and provided to stakeholders statewide. The Statewide Assessment also describes another QA tool called the Executive Dashboard. As indicated in the Statewide Assessment, the Executive Dashboard draws data monthly into a report card to monitor performance on key benchmarks. Additionally, the Statewide Assessment reports that new initiatives, such as MPS and FGDM are evaluated as they are implemented.

According to the Statewide Assessment, the major challenge to the quality of the service delivery system is the continuing high turnover among staff.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that 360 cases are reviewed each quarter in the State’s CFSR process. Some stakeholders report that data have driven the biggest improvements in practice. Some stakeholders across the sites and at the State level indicated that data generated from the State’s CFSR process are combined with periodic surveys, independent analysis and the Executive Dashboard to provide a feedback loop from the State level to the local level. Some stakeholders noted that, in addition to identifying gaps in the quality of services, the data are used to highlight promising practices and high-performing regions. The feedback process includes debriefings with leadership across regions and reports that are specifically designed for supervisors to use to train staff. In addition to the CFSR process, stakeholders said that the State conducts an ongoing review of cases that were closed for investigation to identify any missed opportunities for providing in-home services.

Various stakeholders reported the following ongoing QA activities:

- Quarterly statewide CFSR
- Process evaluation for adoption
- Youth exit surveys
- Parent and foster parent surveys
- Staff surveys
- Reviews of closed investigations
- Surveys to examine disproportionate service delivery to certain populations
- Sharing of promising practices across regions
- Feedback reporting and the Executive Dashboard

IV. TRAINING

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

Status of Training

Texas is in substantial conformity with the systemic factor of Training. Texas also was in substantial conformity with this factor in the 2002 CFSR and therefore was not required to address this factor in the PIP. Findings with regard to the specific items assessed for this factor are presented below.

Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services

 X Strength _____ Area Needing Improvement

Item 32 is rated as a Strength because the State has a process in place for ensuring that the initial training, Basic Skills Development (BSD), is completed within a new caseworker’s first year of employment and before receiving a caseload. Training starts as soon as possible after the new caseworker is hired. New caseworkers are also assigned mentors and receive on-the-job training opportunities before receiving their own case assignments. In the State’s 2002 CFSR, this item also was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, DFPS is committed to the philosophy that caseworkers who are fully trained and equipped to do the job are better prepared to identify child endangerment and make sound casework decisions. The Statewide Assessment reports that BSD for a CPS caseworker is 12 weeks long. In addition, caseworkers are required to attend the following specialized training modules: kinship care, racial/ethnic identity, medical consent, education, family-based services, transitional living services, and IMPACT. The Statewide Assessment reports that the implementation of the MPS tablet PC technology and IMPACT has put strains on training resources, which are further strained by the high rate of turnover in the caseworker position.

Texas provided supplemental information to the Statewide Assessment regarding the results of BSD training evaluation for the period 2005–2006. These results show the following:

- After receiving the BSD training, 96 percent of attendees reported that training was responsive to their needs and learning.
- After 18 months, employees are overwhelmingly confident in assessing physical abuse (98 percent), sexual abuse (93 percent), substance abuse (98 percent) cases, as well as domestic violence (98 percent) and neglect (99 percent) cases.
- After 18 months, respondents felt secure in their abilities to comply with documentation standards in IMPACT (100 percent agreed or strongly agreed) and placement (97 percent) and removal processes (90 percent).

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that BSD training is 12 weeks long. They reported that the core training for new caseworkers provides the vision for family-based practice and includes hands-on field training. Some stakeholders also expressed the opinion that training is adequate for caseworkers to begin to carry a caseload, and that the mentoring programs and other on-the-job training opportunities are extremely valuable in supporting new caseworkers.

Despite the positive view of the training program, some stakeholders across the sites and at the State level reported that the high turnover among caseworkers tends to undermine training goals because of the time and resources necessary to train caseworkers who do not stay in their positions for very long. In addition, some stakeholders indicated that caseworkers are required to assume

responsibility for a partial caseload before training is completed due to high turnover rates. Some stakeholders noted that there is a need for cross training among caseworkers and juvenile justice, law enforcement, Tribal, court, medical, and educational systems.

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 ANI because the training system has not expanded and adjusted sufficiently for additional staff and caseworker turnover. While a variety of ongoing training opportunities are offered, stakeholders report that caseworkers often do not have the time to attend training due to the high caseloads. In the State’s 2002 CFSR, this item was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, DFPS offers a full array of ongoing training requirements and opportunities that include the following topics, in addition to those listed under item 32 above: risk assessment, CPS advanced certification, supervisory certification, and cultural diversity. However, the Statewide Assessment also reports that both staff turnover and new staff expansion have placed strains on training resources and the MPS program, and growing use of the tablet PCs has created an extra burden on the training department.

According to the Statewide Assessment, DFPS tracks required training hours for each employee in the PeopleSoft Training Administration System, which is maintained separately from IMPACT. The Statewide Assessment reports that whenever new training requirements are implemented, supervisors are required to monitor their caseworkers’ attainment of the new training requirement, usually by asking each employee to provide proof in the form of their certificate of completion, which is then entered into PeopleSoft.

The Statewide Assessment outlines the following ongoing training:

- CPS Specialist Certification: 12 hours plus 2 days of advanced training
- CPS Advanced Specialist Certification: 72 hours of work-related training over 3 years
- CPS Supervisor Certification: 40 hours of supervisory and advanced training over 2 years

Texas provided supplemental data to the Statewide Assessment from the Texas Protective Services Training Institute (PSTI) showing the following information:

- In the third quarter of FY 2007, 388 supervisors met the ongoing training requirements as well as tenure requirements.
- All program-oriented classroom workshops had individual satisfaction scores of 4.25 or above on a scale of 1 to 5.
- Individual satisfaction scores for supervisor workshops averaged 4.43 or higher on a scale of 1 to 5.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that ongoing training is required. In addition, some stakeholders noted the popularity of online, interactive training at all levels, including topical webinars and podcasts. Although some stakeholders reported that there is a high level of satisfaction with the training that is offered, other stakeholders across the sites and at the State level noted that caseworkers cannot find the time and receive little support to participate given the demands of their jobs. Some stakeholders reported a need for cross training among caseworkers and law enforcement, Tribal, courts, medical, and educational systems.

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

 X Strength Area Needing Improvement

Item 34 is rated as a Strength because the State uses an established formal curriculum, Parents' Resource for Information, Development, and Education (PRIDE), to train foster and adoptive parents. Ongoing training is required and readily available for foster parents, with much of it offered as a part of local and statewide foster parent meetings and conferences. Training is effective in preparing foster and adoptive parents to carry out their duties with regard to the children in their care. In the State's 2002 CFSR, this item also was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, pre-service and annual training are required of all caregivers, including medical staff, institutional staff, and foster and adoptive parents. The Statewide Assessment notes that the State uses the PRIDE curriculum and identifies the following required training areas for care providers: child development, discipline, fostering children's self-esteem, positive interactions, safety, child abuse reporting, communicable diseases, CPR, and first aid.

The Statewide Assessment outlines the following training for caregivers:

- 8 hours general pre-service training: All caregivers
- 8 hours pre-service training on emergency behavior intervention: Caregivers receiving only child care services, programmatic services, and/or treatment services for primary medical needs
- 16 hours pre-service training on emergency behavior intervention: Caregivers receiving treatment services for emotional disorders, mental retardation, or pervasive developmental disorders
- 8 hours pre-service training on emergency behavior intervention: Child-placing agency administrators, treatment directors, child placement staff, child placement management staff, and full-time professional service providers

- 20 hours annual training: Caregivers receiving only child care services, programmatic services, and/or treatment services for primary medical needs
- 50 hours annual training: Caregivers receiving treatment services for emotional disorders, mental retardation, or pervasive developmental disorders
- 30 hours in the initial year: Child placement staff
- 20 hours annual training: Child placement staff
- 15 hours annual training: Child-placing agency administrators, executive directors, treatment directors, and full-time professional service providers
- 20 hours retraining on substantial changes in techniques, types of intervention, or agency policies: All caregivers, child placement staff, child-placing agency administrators, and service providers

Texas provided supplemental information to the Statewide Assessment, reporting that foster and adoptive homes in Texas are not verified until all training requirements are completed. In addition, the State reports that individual evaluations of the PRIDE training are analyzed and that curriculum is regularly adapted to be responsive to concerns expressed in the evaluations. The State reports that data is not available because a database is currently under construction to capture the evaluative information.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that pre-service and ongoing training are required for all caregivers and are based upon the PRIDE curriculum. Several stakeholders reported that the annual training required is full of useful information. However, a few stakeholders expressed the opinion that annual training is repetitive, infrequent, inconvenient, and does not meet their needs for training to handle their unique situations.

V. SERVICE ARRAY

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

Status of Service Array

Texas is not in substantial conformity with the systemic factor of Service Array. In the 2002 CFSR, Texas was in substantial conformity with this factor and therefore was not required to address this factor in the PIP. Findings with regard to the specific items assessed for this factor are presented below.

Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency

Strength Area Needing Improvement

Item 35 is rated as an ANI because key resources such as substance abuse and mental health services are insufficient around the State, and there are areas where key services such as placement resources are unavailable or inconsistently available. In the State's 2002 CFSR, this item was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, the child welfare system has a comprehensive service array that extends to all counties and regions across the State. The Statewide Assessment describes the CPS Family Focus Program that enhances FBSS, increases participation by parents and caregivers in planning for services and supports for their children, and strengthens an extended family's ability to provide safe and permanent living arrangements within their kinship structure. For example, the Statewide Assessment reports that the Family Focus Division created cultural change by adopting a family-driven perspective. According to the Statewide Assessment, the Family Focus Initiative collaborates with families to build on their strengths to develop individualized family plans that include the types of supportive resources they identify as necessary to care for their children within their own homes and communities.

The Statewide Assessment describes the following services available across the State:

- Early intervention
- At-risk prevention
- Community-Based Child Abuse Prevention
- Housing and transportation assistance
- Personal care assistance
- Therapeutic family recreation
- Specialized medical care and educational services

- Employment assistance and preparation
- Community Youth Development
- Hotlines for child abuse reporting and youth runaway assistance
- Youth resiliency programs targeting juvenile delinquency prevention
- Family strengthening programs targeting abuse and neglect prevention
- Innovative prevention to fund demonstration projects and promote promising practices

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that the State has increased services in a wide range of areas through contracting with private providers. Some stakeholders noted specifically that there has been an improvement in services for kinship caregivers and a stronger system of prevention and early intervention. Many stakeholders identified the partnership with the Casey Family Programs as particularly conducive to promoting the support of families through a comprehensive system of care model. In addition, several stakeholders said that the FGDM approach to service planning and delivery has been effective in supporting families.

Although many stakeholders reported a comprehensive array of services available, other stakeholders identified the following deficits: youth placements and transition, substance abuse treatment, juvenile justice transition, psychiatric care and behavioral health care, and outreach to immigrants including culturally appropriate interventions. Many stakeholder interviews in each site revealed that children are regularly sleeping in the caseworkers’ offices because neither foster homes nor emergency placements are available. Please see item 44 for further discussion of this issue.

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 ANI because there is a lack of sufficient services in all areas of the State to meet the identified needs of families involved with DFPS. In the State’s 2002 CFSR, this item also was rated as an ANI.

Statewide Assessment Information

The Statewide Assessment acknowledges that some communities have a wealth of resources to serve families, while other communities have insufficient resources. According to the Statewide Assessment, Texas is a large and diverse State with many rural, remote areas; families in remote areas struggle with transportation and a lack of choice among providers for needed services, especially in the areas of substance abuse and behavioral health.

According to the Statewide Assessment, specialized positions in DFPS have been created to mitigate the effects of a lack of resources in certain counties. Specialized positions include a Resource and External Relations Specialist and a Community Engagement Specialist. In addition, specialists are available in all areas of the State for the following issues: developmental disabilities, substance abuse, youth services, and nurse consultation.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that services are available across the State, although some rural areas may have fewer services. Some stakeholders expressed the opinion, however, that services to support relative caregiving systems are strong throughout the State. Barriers to the accessibility of services to families in rural areas specifically noted by stakeholders include transportation and a lack of translators or service providers who speak the same language as the clients.

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

Strength Area Needing Improvement

Item 37 is rated as an ANI because the State does not consistently individualize services to meet the unique needs of the children and families they serve. In the State’s 2002 CFSR, this item was rated as a Strength.

During the Onsite Review, item 17 (measuring whether the State met the needs of children, parents, and foster parents) was rated as a Strength in 46 percent of the cases.

Statewide Assessment Information

According to the Statewide Assessment, the use of FGDM has helped to move CPS services from over-reliance on traditional services, such as psychological evaluations, parenting classes, and substance abuse testing, to a service plan that is uniquely tailored to that family or youth’s individual needs. The Statewide Assessment reports that a 2006 evaluation of FGDM found increased family satisfaction, reduced child anxiety after a conference, clearer expectations, and more individualized service planning compared to the traditional use of Permanency Planning Team conferences.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that FGDM and Circles of Support for youth contribute to the development of unique service plans. Some stakeholders across the sites and at the State level indicated that transition centers provide targeted services to meet the diverse needs of youth. However, other stakeholders reported that high caseworker turnover rates impede the ability of caseworkers to design and implement individualized service plans for families and children and to develop connections to key services available in the community. In addition, some stakeholders reported that certain service gaps in rural areas, described in item 36, lead to standardized plans that may not meet the individual needs of families.

VI. AGENCY RESPONSIVENESS TO THE COMMUNITY

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

Status of Agency Responsiveness to the Community

Texas is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. In the 2002 CFSR, Texas also was in substantial conformity with this factor and therefore was not required to address this factor in the PIP. Findings with regard to the specific items assessed for this factor are presented below.

Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with Tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP

 X Strength Area Needing Improvement

Item 38 is rated as a Strength due to several major statewide initiatives that significantly involve key stakeholders and communities in planning for the CFSP. In the State’s 2002 CFSR, this item also was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, the CPS Community Engagement Philosophy holds that strong and effective partnerships with clients, communities, and State leadership are critical to the shared goal of providing services and solutions for the protection of vulnerable Texans, and that building these relationships and partnerships is an integral part of everyday work. To this end, the Statewide Assessment reports that Texas has involved the following stakeholders in consultation on the provisions of the CFSP: children and parents who are or have been in the child welfare system; relatives who have adopted or provided kinship care to children; other providers; and community partners including Tribal, civic, service, faith-based, and professional organizations that have an interest in the children served by CPS. The Statewide Assessment describes the implementation of Resource and External Relations Specialists and Community Engagement Specialists in every region. These specialists conduct public information campaigns and outreach to incorporate stakeholders into the ongoing development and review of policy and practice. Additionally, there are a variety of advisory committees active statewide on the following issues: youth, disproportionality, law enforcement and the judiciary, community collaboration, capacity building, and coordination of services.

According to the Statewide Assessment, Texas acknowledges that, as a large State, it has geographical barriers impacting the level of agency responsiveness. According to the Statewide Assessment, the larger urban areas have more staff in close proximity, making CPS better able to respond to and engage the community. Conversely, more rural areas do not have the concentration of staff, resources, or tools needed to support community development.

Stakeholder Interview Information

During the onsite CFSR, many stakeholders commenting on this item indicated that CPS is very engaged in consulting with stakeholders in the community. Some stakeholders identified the Court Improvement Project, drug courts, and collaboration with the Texas Medical Association as successful partnerships to ensure that input is provided to DFPS from key stakeholders. Some stakeholders across the sites and at the State level point to FGDM as an indication that DFPS is committed to working collaboratively with the community. Some stakeholders reported that CPS works in conjunction with Tribal authorities to manage child welfare cases and that Tribes have opportunities to provide meaningful input into the development of goals for the CFSP.

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

 X Strength Area Needing Improvement

Item 39 is rated as a Strength because stakeholders are included in the annual review of the CFSP as required under title IV-B and Federal regulations. DFPS also involves stakeholders in the development of the agency’s strategic plan and CFSR Program Improvement Plan. In the State’s 2002 CFSR, this item also was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, stakeholders are invited to provide input in the development of the annual progress and services report (APSR). A public notice is posted in the Texas Register soliciting written public input. This input enables the agency to consider and include any changes in the State plan in order to best meet the needs of the children and families the agency services. Additionally, stakeholder input is sought through DFPS liaisons with the Youth Advisory Council, the Texas Council of Child Welfare Boards, the Council on Adoptable Children, the Parent Collaboration Group, and the DFPS Council. DFPS liaisons are requested to solicit input from these stakeholder groups regarding the evaluation of progress as well as input regarding future services and goals. The Statewide Assessment notes that input obtained from the various stakeholders is incorporated into the APSR.

Stakeholder Interview Information

During the onsite CFSR, stakeholders interviewed did not comment specifically on their involvement in the development of the APSR; however, some stakeholders described a variety of opportunities for providing input into the State’s ongoing goals and objectives.

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

 X Strength _____ Area Needing Improvement

Item 40 is rated as a Strength because there is considerable coordination of services among various child welfare funding streams, as well as coordination with other Federal programs. The utilization of title IV-E funding for juvenile justice youth also is appropriate. In the State’s 2002 CFSR, this item also was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, DFPS determines title IV-E eligibility for foster care and adoption assistance and then coordinates the establishment of Medicaid eligibility for children in DFPS custody with the Texas Health and Human Services Commission. Interagency agreements are in place with the Texas Juvenile Probation Commission to determine title IV-E eligibility for children in those systems. The Statewide Assessment reports that a CPS liaison has ongoing contact with three federally recognized Native American Tribes in Texas.

The Statewide Assessment reports that Texas has a strong record of court and agency collaboration, supported by the Court Improvement Project. Meetings are held quarterly to review policy and procedures, share data and case analysis information, and explore opportunities to sponsor joint training activities. The Statewide Assessment reports that CPS has Memoranda of Understanding to coordinate service delivery with the following entities: the Department of State Health Services, Child Advocacy Centers, Juvenile Probation Council, Head Start, Domestic Violence, Texas Alliance for Drug Endangered Children, Social Security Administration, and Early Childhood Intervention.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that DFPS has a comprehensive array of collaborative relationships that coordinate services to children who are supervised by CPS, including the following: the Department of State Health Services, Head Start, State courts, the Juvenile Probation Commission, and the Workforce Commission.

VII. 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

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

Texas is in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. In the 2002 CFSR, Texas also was in substantial conformity with this factor and therefore was not required to address this factor in the PIP. Findings with regard to the specific items assessed for this factor are presented below.

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

 X Strength Area Needing Improvement

Item 41 is rated as a Strength because the standards in place are reasonably in accord with best practice. In the State’s 2002 CFSR, this item also was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, RCCL sets all the rules, known as the Minimum Standards for Agency Foster Family Homes, for child-placing agencies that verify foster homes, both public and private. CPS staff then screen and verify prospective foster family homes to determine whether the family can meet the needs of children in foster care. CPS staff are responsible for documenting that the family meets those minimum standards. The Statewide Assessment reports that the most recent rules became effective January 1, 2007. The new rules have added weights to each minimum standard to improve the consistency and effectiveness in the monitoring of child-placing agencies. The Statewide Assessment explains that, beyond the minimum standards, child-placing agencies may set policies that are more restrictive; therefore, the individual policies of each child-placing agency or region vary.

The Statewide Assessment reports that, of the children in DFPS conservatorship placed in foster homes, about 80 percent are placed in homes verified by private child-placing agencies under contract with DFPS, and about 20 percent are placed in homes verified by CPS. The Statewide Assessment notes that the level of monitoring of these placements varies depending

upon the agency’s current status, its past performance, and RCCL policy. The Statewide Assessment indicates that although several agencies may be responsible for implementing the standards for foster and adoptive homes, DFPS and the RCCL have assured that minimum standards meeting Federal requirements are in place.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that RCCL sets standards and provides licenses to all foster homes. Many stakeholders reported that the new standards go beyond minimum national standards. However, some stakeholders noted that the extensive standards are too stringent and present an undue hardship for foster families who struggle to maintain compliance.

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

 X Strength Area Needing Improvement

Item 42 is rated as a Strength because Texas has specific licensing standards that are applied to all licensed child care institutions and foster care providers. Although the State did not provide data regarding the extent to which standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds, the results of the title IV-E Eligibility Review support stakeholder comments and Statewide Assessment indications that standards are appropriately applied. In the State’s 2002 CFSR, this item also was rated as a Strength.

The title IV-E Eligibility Review held in May 2006 found that the State was in substantial compliance with Federal child and provider eligibility requirements. The report noted that Texas no longer issues “provisional” or “temporary” child care licenses.

Statewide Assessment Information

According to the Statewide Assessment, RCCL issues licenses for child-placing agencies, and child-placing agencies (both CPS and private agencies) issue verification certificates for foster homes depending upon the type of service that they provide. According to the Statewide Assessment, temporary verifications are allowed but are used only when there is a change in the family’s situation (such as a move).

In addition, the Statewide Assessment describes a process by which waiver/variance requests are granted regarding child to caregiver ratio standards so that individual foster homes can accept additional children. As indicated in the Statewide Assessment, this process to expand capacity was developed to address a growing need for emergency shelter placements to prevent situations in which children must stay overnight in an office, hotel, or other location while caseworkers search for an appropriate placement. According to the

Statewide Assessment, the numbers of children experiencing overnight stays in such emergency placements declined from 160 children in May 2007 to 11 children in December 2007. The Statewide Assessment did not provide data related to the percentage of foster homes operating under a waiver.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item noted that there are minimum standards required of all foster homes and reported that waivers for any of these standards are rare. Some stakeholders maintained that the same standards are applied to foster homes verified by CPS and those verified by private agencies, and to both kin and non-kin families.

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

 X Strength Area Needing Improvement

Item 43 is rated as a Strength because all foster, adoptive, and kinship families receive a criminal background check before becoming licensed. Although the State did not provide data regarding the extent to which criminal background clearances are conducted, the results of the title IV-E Eligibility Review support stakeholder comments and Statewide Assessment indications that criminal background clearances are conducted appropriately to address the safety of foster care and adoptive placements for children. In the State’s 2002 CFSR, this item also was rated as a Strength.

The title IV-E Eligibility Review held in May 2006 found that the State was in substantial compliance with Federal child and provider eligibility requirements. The report noted that Texas no longer issues “provisional” or “temporary” child care licenses.

Statewide Assessment Information

According to the Statewide Assessment, RCCL standards require that all foster parents, adoptive parents, individuals over age 14 living in a foster or adoptive home, and employees of child care operations participate in criminal history and central registry (child abuse/neglect) checks prior to the home being verified. In addition, prior to verification, all adults in the home over the age of 18 must submit fingerprints for a National Crime Information Center check, which is completed by the FBI. The Statewide Assessment reports that, in order to increase child safety, all background checks are completed every 2 years and when circumstances change. The Statewide Assessment did not provide data related to the percentage of background clearances completed in a timely manner.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item expressed the opinion that background checks are completed for all individuals involved in caring for children in foster, kinship, and adoptive placements. A few stakeholders noted that background checks are costly and that the requirement for background checks of regular visitors to the home is onerous.

Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed

_____ Strength X Area Needing Improvement

Item 44 is rated as an ANI because, although DFPS has a plan in place for recruiting families to meet the specific needs of children, the plan has not been implemented effectively and has not addressed the identified need for more foster homes, particularly for older youth, Hispanic children, and African-American children. In the State’s 2002 CFSR, this item also was rated as an ANI.

Statewide Assessment Information

The Statewide Assessment reports that although the RCCL does not have any minimum standards related to the recruitment of foster or adoptive homes, CPS and private child-placing agencies design and complete recruitment activities to suit local needs, and each plan is different. The Statewide Assessment states that, of the children in Texas awaiting adoption, almost half are older than 9. According to the Statewide Assessment, African-American children represent 12.6 percent of the State’s child population but account for 26.1 percent of children brought into the foster care system. DFPS has taken responsibility to mitigate the disproportional representation of minority races and ethnicities in all phases of child welfare services delivery by delivering cultural competency training to all service delivery staff (via the I See You campaign developed by Casey Family Programs), increasing targeted recruitment for foster and adoptive families, and enhancing recruitment efforts to ensure diversity among DFPS staff.

Additionally, the Statewide Assessment describes the following recruitment initiatives:

- Partnerships with community groups to provide culturally competent services to children and families
- CPS faith-based recruiters who participate in local events
- Increased use of the ICPC to increase the numbers of requests processed
- Local media in Spanish and English
- Specialized marketing materials (Why Not Me? campaign) and celebration of Adoption Month
- Heart Galleries and partnerships with AdoptUsKids and AdoptChildren

The Statewide Assessment acknowledges that DFPS has historically faced challenges regarding the successful recruitment of foster and adoptive homes and has lost approximately 1,000 foster homes in the past 2 years. These challenges include inadequate budgeting and a public assumption that CPS is a thorny bureaucracy. As described above in item 35, the Statewide Assessment reports that there has been an increase in children having to spend nights in agency offices or hotels. A statewide analysis revealed that the children affected include those recently discharged from psychiatric hospitals and juvenile detention, runaways, and children experiencing placement disruptions or night-time emergency removal. The Statewide Assessment

describes strategies to increase both capacity levels in individual homes and the homes with therapeutic skills to provide care for children with intense needs. The lack of an adequate supply of foster homes, which was also identified as a need in the prior review, has been an ongoing challenge.

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item described the success of the Why Not Me? campaign in addition to the success of the faith-based recruiters in increasing community partnerships. Some stakeholders also noted the prominence of recruitment fairs, the Heart Galleries, and the use of the Extranet to identify resources across the child welfare system. In addition, several stakeholders described the work CPS has accomplished to mitigate the effects of the disproportional representation of certain races by providing training and improving community-based linkages with faith-based organizations. Some stakeholders noted, however, that there is a serious lack of placement resources for children throughout the State.

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

 X Strength Area Needing Improvement

Item 45 is rated as a Strength because DFPS is diligent in the use of cross-jurisdictional resources to locate placements for waiting children. In the State’s 2002 CFSR, this item also was rated as a Strength.

Statewide Assessment Information

According to the Statewide Assessment, DFPS is working with communities around the State to recruit foster and adoptive parents, including the following organizations:

- Why Not Me? campaign
- Texas Adoption Resource Exchange, a referral and photo-listing service
- DFPS Extranet posting to contract agencies
- ICPC
- AdoptUsKids
- AdoptChildren

Stakeholder Interview Information

During the onsite CFSR, stakeholders commenting on this item indicated that the ICPC process has recently been streamlined to enhance the timeliness and responsiveness of the system. Some stakeholders described the statewide use of the Extranet and the Heart Galleries to quickly transmit information about waiting children to a wide audience. In addition, some stakeholders noted the

challenges involved in working with the Mexican consulate on the identification and notification of absent parents and the search for permanent relative placements for children. Although international agreements are in place and relationships are strong, the complexity of the cases involving immigration, criminal, or drug issues can cause delays in the permanent placement of children.