

DSHS - Children's Administration Response to Washington State Citizen Review Panels

The purpose of this report is to respond to the Citizen Review Panels' recommendations to improve the state and local child protection system. To coincide with the Annual Progress and Services reporting period, this report covers the calendar year 2009 reporting period.

Background:

Washington State Citizen Review Panel Program was established in 1999 in response to the Child Abuse Prevention and Treatment Act requiring states to develop and establish Citizen Review Panels. Washington State has one regional Panel and two statewide Panels. These include:

1. Children, Youth and Family Services Advisory Committee
2. Oversight Committee
3. Children's Administration and Juvenile Rehabilitation Indian Policy Advisory Subcommittee

More than 40 Panel members, representing a broad spectrum of Washington communities participate on these panels. As required by the Child Abuse Prevention and Treatment Act, Panel members play an integral role in reviewing whether the state is meeting its goals of protecting children from abuse and neglect.

Children's Administration (CA) helps Panels by providing logistical and technical support; assisting with training, recruiting, and strategic planning; and facilitating the exchange of pertinent information. More information on Washington State Citizen Review Panels is located at: [Insert link.](#)

Washington State Citizen Review Panels' Areas of Focus for 2009

Citizen Review Panel	Area of Focus
<i>Children, Youth and Family Services Advisory Committee</i>	<p>During the 2009 reporting period, the Panel continued the work begun in 2007 on racial and ethnic disproportionality related to child protection. The primary focus was on the results of the work of the Washington State Racial Disproportionality Advisory Committee (WSRDAC). The WSRDAC, created in 2007 by the Washington State Legislature, investigated and reported on disproportionality in the Washington State child welfare system. Its report of June 2008, "Racial Disproportionality in Washington State," shows that disproportionality in the child welfare system exists and identifies the decision points where it is most prevalent. The WSRDAC developed a remediation plan to address disproportionality in December 2008.</p> <p>The Panel focused on the efforts of the state to plan and implement the remediation plan recommendations, with primary focus on referrals and the effect of mandated reporters on this decision point.</p>

Citizen Review Panel	Area of Focus
Oversight Committee	<p>As in previous years, the Oversight Committee CRP invited local community members to join Committee meetings to discuss the accessibility and effectiveness of CA services, with emphasis on policies, practices and community collaborations that support child safety and well-being. Specific areas of focus in 2009 included: Child fatalities, performance in meeting State and Federal requirements (per current data), support and training opportunities for foster parents and kinship/relative caregivers, emergency child placement resources, racial disproportionality in recipients of CA services, and staff turnover. The committee also continued to follow the agency's progress in implementing recommendations from prior years.</p>
Children's Administration and Juvenile Rehabilitation Indian Policy Advisory Subcommittee	<p>During the 2009 reporting period, the Panel focused on the following efforts:</p> <ul style="list-style-type: none"> • Continued to work on the development of the Washington State Indian Child Welfare Act. • Conducted the second Indian Child Welfare Case Review in September 2009; ensure that Case Review outcomes are communicated to all CA staff, that recommendations for case review are clarified, and that progress is reported regularly by Regional Administrators. • Developed a mechanism to allow tribal access to the Children's Administration DSHS data system. • Regional Administrator's worked with Tribes in their respective geographic area to complete Local Tribal/State Agreements. • Regional Administrators set up Indian Child Welfare and Quality Assurance training with Local Indian Child Welfare Advisory Committees and with Child Protective Services and Child and Family Welfare Services workers. • Distribute copies of the most recent federal listing of designated tribal agents for Indian Child Welfare Agreement notices. It is entitled, "Federal Register, Tuesday, April 28, 2009, Part IV, Department of the Interior, Bureau of Indian Affairs, Indian Child Welfare Act; Receipt of Designated Tribal Agents for Service of Notice."

Citizen Review Panel's Recommendations

Citizen Review Panel	Recommendation
Children, Youth and Family Services Advisory Committee	<ol style="list-style-type: none"> 1. The Department and Children's Administration Technology Services should research and, if possible, develop a method to track data regarding mandatory referrals from schools to evaluate compliance with the mandatory reporting law. 2. The Department and Children's Administration Technology Services should expedite changes in FamLink to address data and reporting of Family Team

Citizen Review Panel	Recommendation
	Decision Making efforts. Sufficient data should be available from FamLink to determine if Family Team Decision Making meetings impact disproportionality in the Washington State child welfare system.
Oversight Committee	<ol style="list-style-type: none"> 1. Children’s Administration should place priority on the expansion of emergency placement resources for children and youth in crisis. These resources should be available within reasonable proximity of larger and rural communities. 2. In order to support existing resources and develop resources to fill gaps, community collaborations and partnerships must be pursued and fostered regardless of budget constraints. 3. The CRP should continue to hold meetings in small communities in order to increase outreach and establish a presence for CA in its efforts to eliminate child abuse/neglect. 4. Children’s Administration at all levels should continue to support the Disproportionality Advisory Committee and commit itself to the remediation plan. A member of Oversight CRP should participate on this Committee.
Children’s Administration and Juvenile Rehabilitation Indian Policy Advisory Subcommittee	<ol style="list-style-type: none"> 1. Participate and track compliance with the Indian Child Welfare Act (ICWA) and disproportionality impacts in the implementation of SHB 2106. 2. Children’s Administration will engage with CA JRA IPAC sub-committee to continue to develop a plan for ICW Quality Assurance in every CA office statewide.

Children’s Administration CPS Response to Citizen Review Panel Recommendations

Children, Youth and Family Services Advisory Committee

Recommendation 1
The Department and Children’s Administration Technology Services should research and, if possible, develop a method to track data regarding mandatory referrals from schools to evaluate compliance with the mandatory reporting law.
Children’s Administration Response
<i>CA agrees with the intent of this recommendation. Education professionals must report to CPS or law enforcement when they have reason to believe a child is being abused or neglected. While CA’s data system has the capacity to identify reports made by education professionals, CA is unable to</i>

identify education professionals who are not reporting child abuse or neglect and who are, therefore, out of compliance with the mandatory reporting laws.

The Office of Superintendent of Public Instruction is the lead agency in providing training on rights and responsibilities regarding reporting. To be certified as a teacher in Washington State, the course “Issues of Child Abuse and Neglect” must be taken and includes the responsibility of teachers to report child abuse. RCW 26A.410.035 The reporting expectations are reiterated in the requirements for continuing and professional certification in WAC 181-79A-206. Additional requirements for administrators are in WAC 181-79A-213.

Each Washington State school district sets its own policy and procedure on reporting child abuse and neglect. Schools are aware that they are mandated reporters and in many cases work with the local CA office on local school reporting policies. Oftentimes, Mandated Reporter trainings are conducted by local CA office personnel. Other times, seasoned school staff may provide the training to newly hired staff. Also, each school district has been provided a DVD produced by DSHS about mandated reporting, what to look for, and their responsibility.

In April 2011 CA developed resource materials to educate mandated reporters on reporting child maltreatment and increase their awareness about racial disproportionality in the child welfare system and the impact of race and racism on their reporting decisions. Resource materials include a Mandated Reporter video brochure and a PowerPoint to be used in conjunction with the [DSHS - Children's Administration's Guide to Reporting Child Abuse and Neglect](#).

CA developed a communication plan to distribute these tools to all mandated reporters by May 2011. The communication plan includes:

- Sending resource materials to all regional mandated reporter trainers for distribution to all DSHS/CA offices and community partners;*
- Sending to all target audiences, i.e., Office of Superintendent of Public Instruction, Washington State school districts, medical personnel, law enforcement, social service providers, etc.;*
- Posting on the DSHS/CA internet and intranet;*
- Posting on the Foster Parent website; and*
- Incorporating the information in the CA newsletter.*

Recommendation 2

The Department and Children’s Administration Technology Services should expedite changes in FamLink to address data and reporting of Family Team Decision-Making efforts. Sufficient data should be available from FamLink to determine if Family Team Decision-Making meetings impact disproportionality in the Washington State child welfare system.

Children’s Administration Response

CA is in agreement and made a commitment in 2010 to strengthen the Family Team Decision - Making and family engagement practices to achieve statewide consistency and accountability. A statewide Family Engagement Implementation Team was established in October 2010 in order to accomplish these goals.

The Family Engagement team was implemented in 2010 and currently to meet regularly in 2011. The making substantial progress, including the following:

- Recommendations made in March 2011 for an infrastructure to support and sustain statewide implementation of FTDM, including policies and procedures, practice guidance and guidelines for families impacted by domestic violence.
- Developed FTDM training incorporating updated child safety process for all staff in April 2011. Implementation is scheduled for summer of 2011.
- Recommendations for Quality Assurance process submitted to CA leadership in March 2011.
- Initiated a request in April 2011 for standardized FTDM progress reports to be distributed regularly. Reports will also include tracking statewide FTDM utilization.

To achieve quality assurance, CA agrees data should be available to monitor family and community engagement, and the impact FTDM has on disproportionality. CA is working to release FTDM progress reports that will ultimately track vital measures, such as emergent and imminent risk placements, moves between placements, exits from care, and race/ethnicity on a statewide, regional, and office/unit/individual level. This information can be compared to cases in which an FTDM did not occur to provide further information on quality assurance.

In 2009, ESSB required Washington State Institute for Public Policy (WSIPP) to evaluate DSHS' use of structured decision-making practices and implementation of the family team decision-making model to determine whether and how those child protection and child welfare efforts result in reducing disproportionate representation of African-American, Native American, and Latino children in the state's child welfare system.

REMOVAL FROM HOME: WSIPP findings on FTDMs indicate that overall, FTDMs have no statistically significant effect on placement following CPS referral, except for Hispanic families. Hispanic families were less likely to be removed from home in offices holding FTDM meetings.

TIME TO PERMANENCY: Overall, WSIPP analysis shows no significant effect of FTDM on time to permanency for children in care following a CPS referral, except Asian children. Asian children were less likely to be removed from home in offices holding FTDM meetings.

Oversight Committee

Recommendation 1

The agency should place priority on the expansion of emergency placement resources for children and youth in crisis. These resources should be available within reasonable proximity of larger and rural communities.

Children's Administration Response

CA HQ and Region 1 agree that expansion of emergency placement resources for children and youth in crisis in Region 1 is a priority. CA is working to identify areas in Region 1 where the most children are removed so both the state and its contracted recruitment staff can find homes for children in those areas. This is part of a national Family To Family strategy developed by the Annie E. Casey Foundation. This “neighborhood of focus” strategy is a requirement in the current contract between CA and Lutheran Community Services Northwest, the contracted recruiter in Region 1.

In addition, the Washington State Legislature passed Second Substitute House Bill 2106 in 2009 to improve outcomes for children and families involved the child welfare system through: increased accountability by those providing services, ensuring all children have access to a wide array of services, and good stewardship of state funds. The law requires improving child welfare outcomes through service implementation in two parts: Performance-Based Contracting for Purchased Services and Case Management Demonstration Sites. CA expects contracts to be in place by July 2011, and to transition services to lead agencies by October 2011 – March 2012.

Through the implementation of Performance-Based Contracting, CA will partner with lead agencies statewide and will focus on outcomes, accountability for performance, building service capacity statewide, and exercising fiscal stewardship of public funds. The goals of the partnership also include a community-based, coordinated-services delivery system using a wraparound approach. This will allow CA staff, the private sector, and other members of the child welfare system to better address the needs of children and families, including emergency placement resources for children and youth.

Recommendation 2

In order to support existing resources and develop resources to fill gaps, community collaborations and partnerships must be pursued and fostered regardless of budget constraints.

Children’s Administration Response

Through the new PBC contract, CA will have the opportunity to partner with qualified private agencies to attain clearly defined and shared goals for children and families. By working together, CA expects system and case-level improvements that include a broader array of formal and informal services and supports to be available and tailored to specific regional needs.

CA is committed to the successful implementation of performance-based contracts beginning in July 2011 and will involve a continuous quality assurance process in order to address those things that are not working well, and to identify and solve problems.

Recommendation 3

The CRP should continue to hold meetings in small communities in order to increase outreach and establish a presence for CA in its efforts to eliminate child abuse/neglect.

Children’s Administration Response

CA HQ and Region 1 agree with this recommendation and are committed to holding meetings in small communities whenever possible.

Recommendation 4

The agency at all levels should continue to support the Disproportionality Advisory Committee and commit itself to the remediation plan. A member of Oversight CRP should participate on this Committee.

Children's Administration Response

CA is committed to remedying racial disproportionality and racial disparity in the child welfare system. The following current and on-going efforts in support of the Disproportionality Committee and remediation plan include, but are not limited to:

- *Partnering by CA with the Washington State Racial Disproportionality Advisory Committee, which includes representatives from juvenile court, Tribes, community partners and persons of color, to focus on a variety of issues and strategies to reduce racial disproportionality and racial disparity.*
- *Collecting performance data aggregated by race/ethnicity. In partnership with Washington State Racial Disproportionality Advisory Committee during regular committee meetings through CY 2011, CA will develop additional areas of focus for the 2011 Remediation Plan.*
- *Establishment of a statewide workgroup in May 2011 to examine data to better understand factors which may help explain racial disparity for Sibling Placement and Frequency of Missing from Care Status, as well as potential issues and strategies which CA can address.*
- *Providing culturally competent and nationally recognized racial equity trainings. During CY 2010, approximately 220 CA staff and 50 community partners attended racial equity training. In CY 2011, CA will offer over 40 Building Bridges trainings to be offered to staff and community partners statewide. In addition, CA plans to provide several Undoing Racism and Knowing Who You Are trainings throughout the year.*
- *Distributing Mandated Reporter Resource Information on Disproportionality and distributing it to staff and community partners in May 2011.*
- *Analyzing CA policies, procedures and management decisions in light of the impact on racial disparity and disproportionality. CA has arranged training on a racial equity impact tool on June 29, 2011 for staff to include CA leadership, policy writers and reviewers.*
- *Collecting information from CA staff and partners using a disproportionality survey in December 2010. The approximate 2500 disproportionality survey responses will be scored and analyzed during CY 2011 to disproportionality survey responses will be used to help identify the gaps in our system, give ideas about where improvements may be needed, highlight strengths, and help inform strategic planning for future work.*

SHB 1472 limits Washington State Racial Disproportionality Committee membership to 15 members representing various disciplines. However, individuals from the community are invited to attend the meetings. Information about CA's work on disproportionality, including the 2011 meeting schedule,

is located at: <http://www.dshs.wa.gov/ca/about/disproportionMeetings.asp>

Children’s Administration and Juvenile Rehabilitation Indian Policy Advisory Subcommittee

Recommendation 1

Participate and track compliance Indian Child Welfare Act and disproportionality impacts in the implementation of SHB 2106.

Children’s Administration Response

CA agrees with this recommendation and is actively pursuing Indian Child Welfare Act compliance and practice improvements designed to eliminate disproportionality in the child welfare system. In addition to activities described in the CA response to the Region 2 Oversight Committee recommendation, progress made on specific Indian Child Welfare Act and disproportionality include:

- *Participation with Washington State Tribes and Recognized American Indian Organizations in developing a Washington State Indian Child Welfare Act to support uniform adherence to the federal Indian Child Welfare Act and State policies related to the Indian Child Welfare process. The proposed legislation is currently introduced in the 2011 legislative session.*
- *Provision of Performance-Based Contracting Model in alignment with SHB 2106.*

Recommendation 2

Children’s Administration will engage with CA JRA IPAC sub-committee to continue to develop a plan for Indian Child Welfare Quality Assurance in every CA office statewide.

Children’s Administration Response

CA collaborated with the Washington State Tribes, Recognized American Indian Organizations and the Indian Policy Advisory Committee to develop a remediation plan to address practice trends and systemic issues identified in the 2009 ICW case review. Through this process, an action plan, including strategies for improvement, was developed at regional and statewide levels to improve practice and compliance. This Quality Assurance tool will be a benchmark for CA to measure strengths and challenges related to Indian Child Welfare practice regionally and statewide.

Currently, the implementation plan in each region includes:

- *Documentation of child’s Native American Indian heritage in FamLink*
- *Policy clarifications*
- *Notifications to tribe of court hearings*
- *Local Indian Child Welfare Advisory Committee*
- *Impasse procedures*

To help regions ensure Native American children are correctly identified and implementation plan strategies are being implemented, CA sends a regular FamLink data report to regions that identify

all Indian Child Welfare children.

Other strategies for improvement include:

- *Development of a training DVD in 2009 called “ [All My Relations](#)” about the importance of cultural connections for Native American children, a valuable resource tool for CA staff, foster parents, and community professionals.*
- *Conduct ongoing Indian Child Welfare case reviews every two years. The next case review will be in the fall of 2011.*
 - *Increase understanding of Indian Child Welfare requirements for CA staff*
 - *Improve the quality of service to Indian children and families*
 - *Facilitate quality-improvement activities based on reliable Indian Child Welfare practice trends*
- *Developed and implemented an Indian Child Welfare training curriculum for supervisors in January 2010. This mandatory training is a comprehensive overview designed to build knowledge of supervisory oversight needed for Indian Child Welfare Act case management compliance, utilization of CA resources, and maintaining connections with family using FamLink as a guide. The course is based on a collaborative learning model that uses existing information and resources, reflecting the recommendations of CA and tribal welfare workers, as well as the National Indian Child Welfare Association, regarding best practice models of engagement and collaboration.*
- *Commitment to Administrative Policy 7.01 and effective partnership with Federally Recognized Tribes of Washington State, Recognized American Indian Organizations and individual American Indians and Alaska Natives in the planning of DSHS service programs, to ensure quality and comprehensive service delivery to all American Indians and Alaska Natives in Washington state.*