

Co-Neutral Commentary Seven

Issued November 2016

Compromise and Settlement Agreement

(D.G. vs. Yarborough, Case No. 08-CV-074)

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I. Introduction

On January 4, 2012, the Oklahoma Department of Human Services (DHS) and Plaintiffs reached agreement in a long-standing federal class action lawsuit against the state of Oklahoma on behalf of children in the custody of DHS due to abuse and neglect by a parent or guardian. That matter, *D.G. vs. Yarborough*, Case No. 08-CV-074, resulted in the Compromise and Settlement Agreement (CSA), which was approved by the United States District Court for the Northern District of Oklahoma on February 29, 2012. The CSA requires (Section 2.10 (a)) that DHS develop a plan setting forth “specific strategies to improve the child welfare system.” Under the CSA, the parties identified and the court approved Eileen Crummy, Kathleen Noonan, and Kevin Ryan as “Co-Neutrals,” and charged them to evaluate and render judgment about the ongoing performance of DHS to strengthen its child welfare system to better meet the needs of vulnerable children, youth, and families. The CSA states specifically (Section 2.10 (i)) that, “Twice annually, the Co-Neutrals shall provide commentary regarding the Department’s overall progress as reflected by the [data] reports and shall provide commentary as to whether the Department is making good faith efforts pursuant to Section 2.15 of the Settlement Agreement.”

DHS, with the assistance of state leaders, advocates, and other stakeholders, developed the Pinnacle Plan, which contains significant commitments to be implemented beginning in State Fiscal Year (SFY) 2013. The Co-Neutrals approved the Pinnacle Plan on July 25, 2012.

The CSA charged DHS with identifying baselines and Target Outcomes to measure and report the state’s progress in core performance areas, which are grouped in the following seven performance categories:

- Maltreatment (abuse and neglect) of children in the state’s legal custody (MIC);
- Development of foster homes and therapeutic foster homes (TFC);
- Regular and consistent visitation of caseworkers with children in the state’s legal custody;
- Reduction in the number of children in shelters;
- Placement stability, reducing the number of moves a child experiences while in the state’s legal custody;
- Child permanency, through reunification, adoption or guardianship; and,
- Manageable caseloads for child welfare staff.

As required by the CSA, the Co-Neutrals and DHS established the Metrics, Baselines, and Targets Plan (the “Metrics Plan”) on March 7, 2013. For each of the seven performance categories, the Metrics Plan establishes: the methodology for the performance metrics and measuring progress; parameters for setting baselines; interim and final performance targets

and outcomes; and the frequency by which DHS must report data and information to the Co-Neutrals and the public.

Appendix A provides a summary chart of the metrics for the seven performance areas, with corresponding baselines and targets, established by DHS and the Co-Neutrals, and updated through September 2015.¹

The CSA further requires the Co-Neutrals to provide commentary and issue a determination as to whether DHS' data submissions provide sufficient information to measure accurately the department's progress. The Co-Neutrals have previously found data sufficiency for all the CSA performance areas and data metrics. Pursuant to the CSA, the Co-Neutrals may revise any determination of data sufficiency based on subsequent or ongoing data submissions as deemed appropriate.

This document serves as the Co-Neutrals' Seventh Commentary under the CSA and reflects DHS' performance, data, and information available through June 2016. In numerous instances, as described in this report, data and information are only available through March 31, 2016 (due to reporting lags or intervals agreed upon previously by the Co-Neutrals and DHS). In addition, in some instances, the Co-Neutrals report on more recent decisions or activities by DHS to reflect, when possible, the most current view of the reform.

Suspension of Final Date for Pinnacle Plan

Under Section 2.15 of the CSA, it was established that the Co-Neutrals would issue a Final Report on December 15, 2016 that determines whether DHS has made, for a continuous period of at least two years prior to December 15, 2016, good faith efforts to achieve substantial and sustained progress towards the Target Outcomes. As the Compromise and Settlement Agreement sets forth, "If the Co-Neutrals find that the Department has made, for a continuous period of at least two years prior to December 15, 2016, good faith efforts to achieve substantial and sustained progress toward each Target Outcome, then the Department's obligations under this Settlement Agreement shall terminate and the parties shall jointly seek to vacate any Judgment entered by the Court as a result of a finding or decision by the Co-Neutrals. If the Co-Neutrals find that the Department has not made good faith efforts to achieve substantial and sustained progress toward each Target Outcome, the Department shall continue to be subject to the terms of this Settlement Agreement for successive one year

¹ Under Section 2.10(f) of the CSA, the Co-Neutrals shall issue Baseline and Target Outcomes, which shall not be subject to further review by either party but may at the discretion of the Co-Neutrals, after providing the parties an opportunity to comment, be revised by the Co-Neutrals.

periods, with a continuation of the identified reporting requirements. At the end of each such period, the Co-Neutrals shall issue additional Target Outcome Findings until such time as the Co-Neutrals find that the Department has made, for a continuous period of at least two years prior to the report, good faith efforts to achieve substantial and sustained progress toward each Target Outcome.”

Discussions in 2016 led to an agreement between the parties that additional time would be necessary to allow DHS to more fully implement the commitments established under the CSA. On September 2, 2016, DHS and the Plaintiffs jointly agreed, with the Co-Neutrals’ approval, to suspend the Co-Neutrals’ issuance of the Final Report. The new agreement gives DHS the opportunity to request the Final Report from the Co-Neutrals at any time and maintains the requirement that the Co-Neutrals determine as part of that report whether DHS has, for a period of at least two years, made good faith efforts to achieve substantial and sustained progress toward each Target Outcome.

II. Summary of Progress and Challenges Ahead

Progress and Challenges

As a result of its efforts during this report period, DHS made strong progress through June 30, 2016 in several areas identified for improvement in the CSA. The following highlights accomplishments DHS achieved for Oklahoma’s children since the last report period:

- *New Foster Homes Approved:* For the first time, DHS met and surpassed its annual Target Outcome for new foster homes, approving 1,080 new foster homes in SFY16 and exceeding its target of 1,054 homes. DHS also set a high mark for a net gain of 518 foster homes in one year. DHS’ achievement this year is the result of strong leadership expanding Oklahoma’s capacity to recruit and approve more foster homes by establishing new internal recruitment teams, increasing contracts with external, private agency partners and amplifying the message statewide for the need for new foster homes through the Oklahoma Fosters Initiative.
- *Substantial Improvements in Caseloads:* During this report period, DHS’ efforts resulted in another substantial increase in caseload compliance, with 71 percent of all caseworkers meeting their caseload standard as of June 30, 2016. That progress represents a 10 percentage point improvement since December 31, 2015. The number of caseworkers with workloads more than 10 percent over the established standard decreased from 28.8 to 17.6 percent. DHS has continued to recruit, hire, train and retain more caseworkers to serve vulnerable children, despite serious statewide budget

constraints.

- *Reduction in Shelter Usage Statewide.* During this report period, DHS achieved the largest percentage reductions in the number of shelter-nights experienced by children of all ages. For children under six, both the number of children and the shelter-nights they experienced were reduced by at least 90 percent. For children six and older, there was a 50 percent reduction of both the number of children and shelter-nights. While DHS must still work to further reduce shelter stays, particularly for children ages 13 and older, DHS continues to make substantial and sustained progress with its efforts to secure non-shelter, family-based placements for children.
- *Caseworker Monthly Visits:* During this period, DHS continued its very strong performance in the area of completing required monthly visits with children. DHS reported an increase – from 52.6 to 59.2 percent – in children who received six consecutive visits with the same primary worker, in part reflecting improvements in the stability of DHS’ workforce. With DHS successfully making the shift away from secondary case assignments as a regular practice, the agency also reported this period that it met and exceeded the final Target Outcome for the percentage of monthly visits with children completed by primary workers.

The Co-Neutrals observed the following challenges during this report period:

- *Maltreatment of Children who are in the State’s Custody.* The rate of child maltreatment in care in Oklahoma continues to be unacceptably high. DHS has made progress in its efforts to reduce the maltreatment risks for children placed in facilities; however, the same level of focused effort is necessary to address and mitigate the risks that remain for children placed in family-based settings. Addressing these risks with comprehensive strategies has to be an immediate and constant priority for DHS. Toward the end of the last report period, the department began to introduce new policy, practice and system changes to protect the safety and well-being of children in DHS’ custody.
- *Inadequate Supply of Therapeutic Foster Homes (TFC) for Children.* For the majority of this report period, DHS did not make concerted efforts to address the many long-standing problems of the TFC program. These challenges include an ongoing waitlist of children who need a TFC placement, the lack of a workable understanding of the available placements in existing TFC homes, the lack of a process to effectively match children to TFC homes based on need and ongoing annual net losses of TFC homes. At the end of the period, DHS began to undertake a full-scale review and analysis of its TFC

program to develop a comprehensive understanding of the children and youth that need TFC placements, the children and youth currently in TFC placements, and the components of the program that need redesign. DHS reported that it is prepared to make fundamental changes or shifts in the TFC program as needed.

- *Lack of Permanency for Older Youth.* The Co-Neutrals have stressed the need for DHS to develop and implement strategies to achieve permanency for children who are legally free and ages 16 and older to curtail the number of these youth who exit care without a permanent family. At the end of the period, DHS finalized regional permanency plans that contained various approaches to achieve permanency for older children; however, these plans varied in detail and quality and do not yet provide clear and consistent direction about what are the best practices DHS has identified for achieving permanency and how best to track implementation efforts for quality assurance. DHS needs to provide unified guidance about how best to achieve permanency for older children who are most at risk for aging out of DHS custody.

The CSA requires the Co-Neutrals to determine whether DHS has “made good faith efforts to achieve substantial and sustained progress” toward a Target Outcome. This standard requires more than an assessment of DHS’ intentions but necessarily requires a conclusion by the Co-Neutrals that is based on an analysis of the activities undertaken and decisions made by DHS or, as the Co-Neutrals have pointed out, the inactions or failures to make decisions and the impact of those decisions and activities on achieving substantial and sustained progress toward a Target Outcome. For example, the Co-Neutrals have focused their review and assessment of DHS’ timeliness and thoroughness to implement, evaluate and, when needed, adjust core strategies to inform their judgment of whether the department has made good faith efforts to achieve substantial and sustained progress toward the Target Outcomes.

The CSA requires the Co-Neutrals to report on those Target Outcomes that DHS has met, those for which the department has achieved sustained, positive trending toward the Target Outcomes, and those Target Outcomes for which DHS has not achieved sustained, positive trending. The following Table summarizes the Co-Neutrals’ findings of DHS’ progress toward the Target Outcomes and, separately, the Co-Neutrals’ assessment of DHS’ efforts for each of the performance metrics assessed during this report period.

The Co-Neutrals conclude that DHS has made good faith efforts to achieve substantial and sustained progress toward the Target Outcome in 27 of the 31 distinct performance areas previously identified as representing significant problem areas confronting the Oklahoma child welfare system.

Table 1: Summary of Target Outcomes

Metric	Has Met Target Outcome	Has Achieved Sustained, Positive Trending Toward the Target Outcome	Has Made Good Faith Efforts to Achieve Substantial and Sustained Progress Toward the Target Outcome	Page in Report
I. MALTREATMENT IN CARE (MIC)				
1.A: Of all children in foster care during the reporting period, what percent were not victims of substantiated or indicated maltreatment by a foster parent or facility staff member in a 12 month period.	No	No	No	50
1.B: Of all children in legal custody of DHS during the reporting period, what number and percent were not victims of substantiated or indicated maltreatment by a parent and what number were victims.	No	Yes	Yes	61
II. FOSTER AND THERAPEUTIC FOSTER CARE (TFC) HOMES				
2.A: Number of new foster homes (non-therapeutic, non-kinship) approved for the reporting period.	SFY16 Target - Yes	No	Yes	17
Net gain/loss in foster homes (non-therapeutic, non-kinship) for the reporting period.	SFY16 target – No	No	Yes	19
2.B: Number of new therapeutic foster homes (TFC) reported by DHS as approved for the reporting period.	SFY16 Target – No	No	No	28
Net gain/loss in TFC homes for the reporting period.	SFY16 target- No	No	No	28
III. CASEWORKER VISITS				
3.1: The percentage of the total minimum number of required monthly face-to-face contacts that took place during the reporting period between caseworkers and children in foster care for at least one calendar month during the reporting period.	Yes	Yes	Yes	63
3.2: The percentage of the total minimum number of required monthly face-to-face contacts that took place during the reporting period between primary caseworkers and children in foster care for at least one calendar month during the reporting period.	Yes	Yes	Yes	64

Metric	Has Met Target Outcome	Has Achieved Sustained, Positive Trending Toward the Target Outcome	Has Made Good Faith Efforts to Achieve Substantial and Sustained Progress Toward the Target Outcome	Page in Report
3.3b: The percentage of children in care for at least six consecutive months during the reporting period who were visited by the same primary caseworker in each of the most recent six months, or for those children discharged from DHS legal custody during the reporting period, the six months prior to discharge.	No	Yes	Yes	65
IV. PLACEMENT STABILITY				
4.1a: Percent of children in legal custody of DHS that experience two or fewer placement settings: Of all children served in foster care during the year who were in care for at least 8 days but less than 12 months, the percentage that had two or fewer placement settings.	No	No	Yes	68
4.1b: Percent of children in legal custody of DHS that experience two or fewer placement settings: Of all children served in foster care during the year who were in care for at least 12 months but less than 24 months, the percentage that had two or fewer placements.	No	No	Yes	68
4.1c: Percent of children in legal custody of DHS that experience two or fewer placement settings: Of all children served in foster care during the year who were in care for at least 24 months, the percentage that had two or fewer placement settings.	No	No	Yes	68
4.2: Of those children served in foster care for more than 12 months, the percent of children who experienced two or fewer placement settings <i>after</i> their first 12 months in care.	No	No	Yes	68
V. SHELTER USE				
5.1: The number of child-nights during the past six months involving children under age 2 years.	No	Yes	Yes	41

Metric	Has Met Target Outcome	Has Achieved Sustained, Positive Trending Toward the Target Outcome	Has Made Good Faith Efforts to Achieve Substantial and Sustained Progress Toward the Target Outcome	Page in Report
5.2: The number of child-nights during the past six months involving children age 2 years to 5 years.	No	Yes	Yes	41
5.3: The number of child-nights during the past six months involving children age 6 years to 12 years.	No	Yes	Yes	42
5.4: The number of child-nights during the past six months involving children ages 13 years or older.	No	Yes	Yes	43
1.17: Percent of children 13 and older in a shelter who stayed less than 30 days and no more than one time in a 12-month period.	No	No	Yes	43
VI. PERMANENCY				
6.1: Of all children who were legally free but not living in an adoptive placement as of January 10, 2014, the number of children who have achieved permanency.	No	Yes – for children ages 12 and under	Yes – for children ages 12 and under	86
		No – for children ages 13 and older	Yes – for children ages 13 and older	86
6.2a: The number and percent of children who entered foster care 12-18 months prior to the end of the reporting period who reach permanency within one year of removal, by type of permanency.	No	No	Yes	78
6.2b: The number and percent of children who entered their 12 th month in foster care between 12-18 months prior to the end of the reporting period who reach permanency within two years of removal, by type of permanency.	No	Yes	Yes	79
6.2c: The number and percent of children who entered their 24 th month in foster care between 12-18 months prior to end of reporting period who reach permanency within three years of removal, by type of permanency.	No	Yes	Yes	80

Metric	Has Met Target Outcome	Has Achieved Sustained, Positive Trending Toward the Target Outcome	Has Made Good Faith Efforts to Achieve Substantial and Sustained Progress Toward the Target Outcome	Page in Report
6.2d: The number and percent of children who entered their 36 th month in foster care between 12-18 months, prior to the end of the reporting period who reach permanency within four years of removal.	No	No	Yes	81
6.3: Of all children discharged from foster care in the 12 month period prior to the reporting period, the percentage of children who re-enter foster care during the 12 months following discharge.	No	Yes	Yes	82
6.4: Among legally free foster youth who turned 16 in the period 24 to 36 months prior to the report date, the percent that exited to permanency by age 18; stayed in foster care after age 18, and exited without permanency by age 18.	No	Yes	No	87
6.5: Of all children who became legally free for adoption in the 12 month period prior to the year of the reporting period, the percentage who were discharged from foster care to a finalized adoption in less than 12 months from the date of becoming legally free.	No	Yes	Yes	83
6.6: The percent of adoptions that did not disrupt over a 12 month period, of all trial adoptive placements during the previous 12 month period.	No	No	Yes	84
6.7: The percent of children whose adoption was finalized over a 24 month period who did not experience dissolution within 24 months of finalization.	Yes	Yes	Yes	84
VII. CASELOADS				
Supervisors	No	Yes	Yes	38
Caseworkers	No	Yes	Yes	32

Methodology

To prepare this report, the Co-Neutrals conducted a series of verification activities to evaluate DHS' progress and implementation of its commitments. These activities included meetings with DHS leadership and staff across the state, private agency leadership, and child welfare stakeholders. The Co-Neutrals also reviewed and analyzed a wide range of aggregate and detailed data produced by DHS, and child and foster home records, policies, memos, and other internal information relevant to DHS' work during the period.

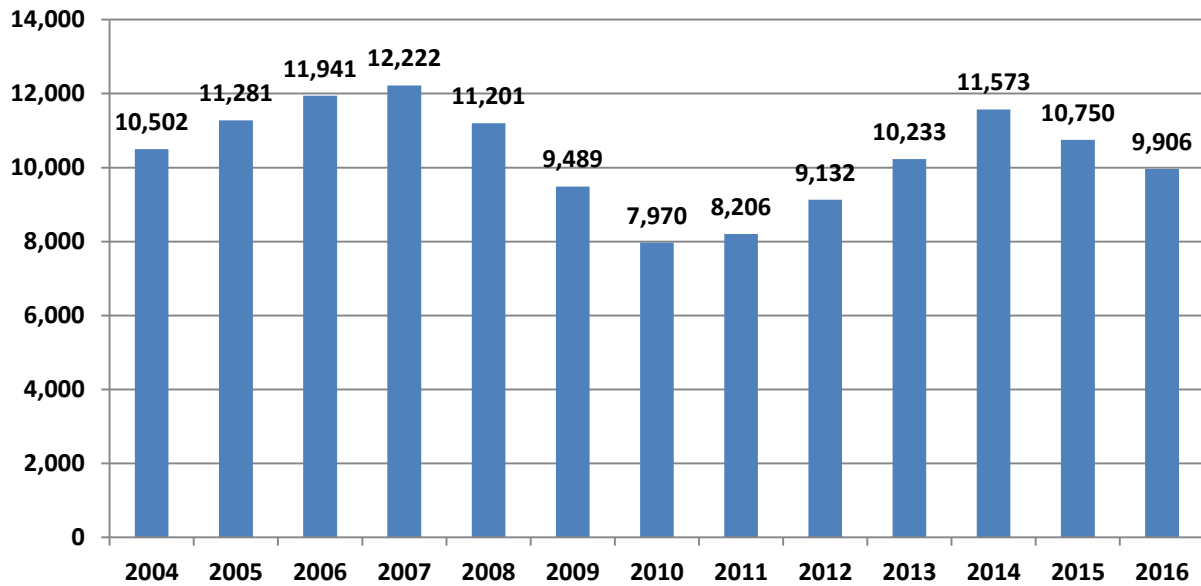
The remainder of this report includes:

- Context Data of Children in DHS Custody (Section III);
- Seven Performance Categories: Assessment of Progress and Good Faith Efforts (Section IV);
- Appendices; and,
- Glossary of Acronyms.

III. Context Data of Children in DHS Custody

Following the dramatic rise in the number of children in care during the first years of this reform (2012-2014), DHS has experienced a steady decline in the number of children in care over the last two years. At its highest number of children in care since 2007, on June 30, 2014, there were 11,573 children in DHS custody. Two years later, on June 30, 2016 there were 9,906 children in care, representing a 14 percent drop in the number of children in care over the last two years. The decline in the population of children in care is the result of more children exiting care than entering care each year.

Figure 1: Number of Children in DHS Custody at the End of SFY - 2004 to 2016



Source: DHS Data

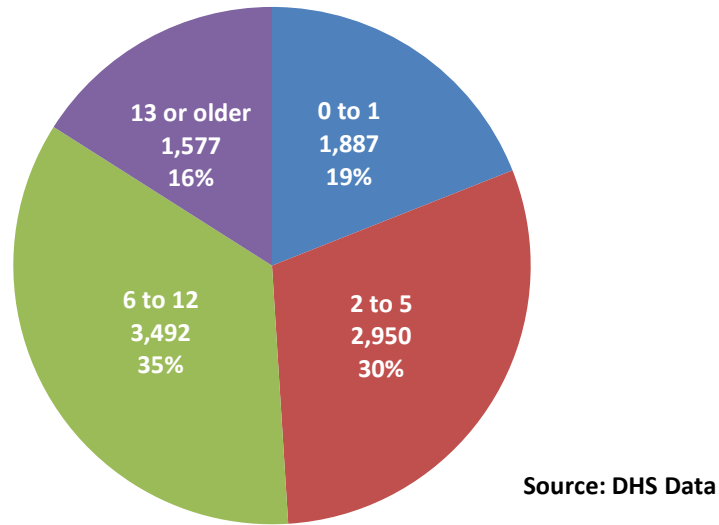
Demographics

DHS reported there were 9,906 children in custody as of June 30, 2016, while there were 10,333 children in custody on December 31, 2015.² During the reporting period from December 31, 2015 to June 30, 2016, 2,633 children entered care and 3,060 children exited care.

Young children aged zero to five years make up the largest portion (4,837 or 49 percent) of children in care. Children aged 6 to 12 years comprise 35 percent (3,492) of the population in care and 16 percent (1,577) are 13 years or older, as detailed in Figure 2 below:

² In the prior Commentary, the Co-Neutrals' reported that there were 10,330 children in care on December 31, 2015. Due to data entry lag and the merge of duplicate identification numbers for the same child, DHS data now indicates that 10,333 children were in care on December 31, 2015.

Figure 2: Children in Care on June 30, 2016 by Age Group (Total = 9,906)

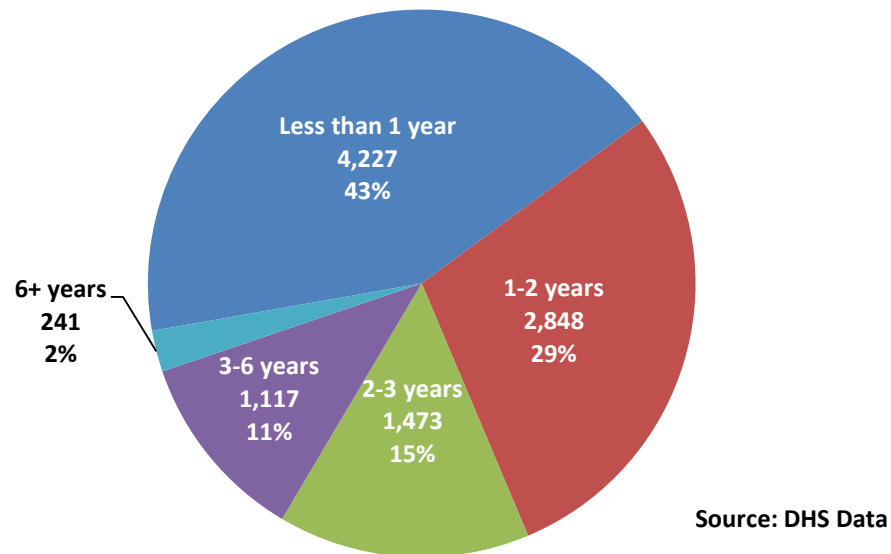


With regard to gender, the population is split almost equally — 52 percent male and 48 percent female. With regard to race, the population of children is 37 percent White, nine percent African-American, and seven percent Native American. In addition, 18 percent of children identified with Hispanic ethnicity (and can be of any race). Thirty percent identified with multiple race and ethnicity categories, of which 73 percent identified as Native American.³

As presented in Figure 3 below, DHS' data shows that of the children in care on June 30, 2016, 43 percent (4,227) were in care for less than one year; 29 percent (2,848) between one and two years; 15 percent (1,473) between two and three years; 11 percent (1,117) between three and six years; and two percent (241) for more than six years.

³ Overall, 34 percent of children identified as Native American including those children who identified with more than one race and ethnicity category and those identified as Hispanic.

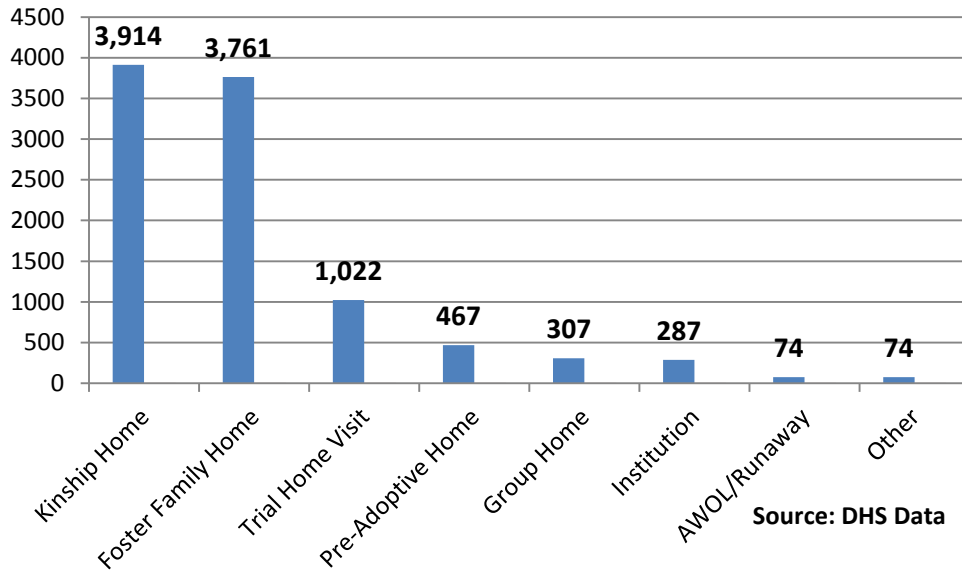
Figure 3: Children in Care on June 30, 2016 by Length of Stay (Total = 9,906)



As the following Figure demonstrates, 93 percent of children (9,164) in DHS custody on June 30, 2016 live in family settings, including in relative and non-relative kinship homes (40 percent), with foster families (38 percent), with their own parents (ten percent), and in homes that intend to adopt (five percent). Of children in custody, 594 (six percent) live in institutional settings, including shelters, residential treatment and other congregate care facilities. The remaining two percent reside in unidentified placements (listed as other in Figure 4 below) or are AWOL (runaway).⁴

⁴ Percentages in this paragraph may not add up to totals due to rounding.

Figure 4: Children in Care on June 30, 2016 by Placement Type



Of the 9,164 children living in family settings, 1,867 (20 percent) are less than two years old, 2,930 (32 percent) are 2 to 5 years old, 3,277 (36 percent) are 6 to 12 years old, and 1,090 (12 percent) are 13 years or older. Of the 594 children living in institutional settings, 6 (one percent) are less than two years old, 10 (two percent) are 2 to 5 years old, 192 (32 percent) are 6 to 12 years old, and 386 (65 percent) are 13 years or older.⁵

IV. Seven Performance Categories: Assessment of Progress and Good Faith Efforts

In this section, as required by the CSA, the Co-Neutrals review the seven performance categories under the CSA, providing commentary on DHS’ overall progress and its efforts to achieve substantial and sustained progress toward each Target Outcome. As described in Table 1 (Summary of Target Outcomes and Good Faith Efforts) and Appendix A, not all performance categories and their corresponding metrics have a Target Outcome that was due before the end of this report period, which runs through June 30, 2016.

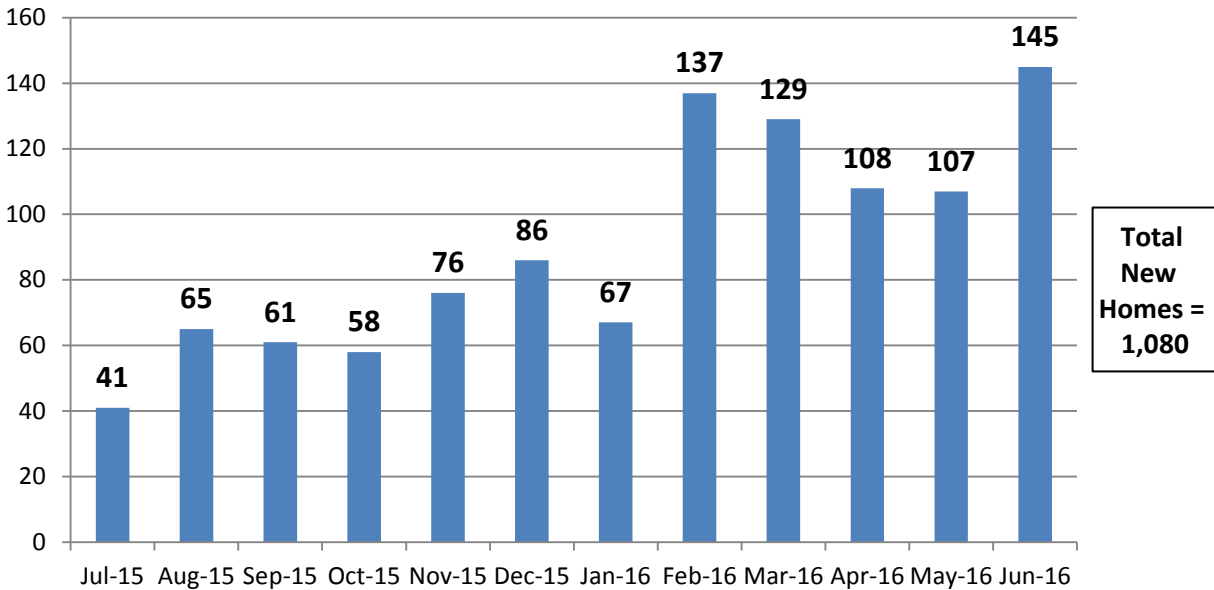
A. Foster Care

During this performance period, the Co-Neutrals find that DHS made good faith efforts to implement the core strategies it established in 2015 to expand Oklahoma’s pool of traditional non-kinship foster homes. These efforts resulted in DHS, along with its private agency partners,

⁵ Percentages in this paragraph may not add up to totals due to rounding.

approving 1,080 new traditional foster homes - 26 homes above the target - to care for children placed in DHS' custody. This is the first year DHS met or exceeded its annual Target Outcome for new foster homes, which was set at 1,054 new foster homes for SFY16.

Figure 5: New Foster Care Homes Developed by Month, July 2015-June 2016

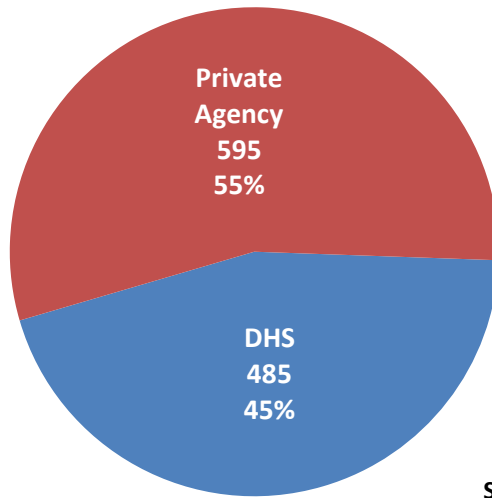


Source: DHS Data

As noted in the Co-Neutrals' April 2016 Commentary, DHS needed to approve an average of 112 new homes each month from January through June 2016 to meet its annual Target Outcome. As shown in Figure 5 above, DHS achieved high monthly performance during the second half of SFY16 and developed an average of 115 homes over those six months, achieving a high mark of 145 new homes approved in June 2016, the last month of the period.

Of the 1,054 new home annual target for SFY16, DHS initially projected that its private agency partners would develop 820 (78 percent) of the new homes and DHS would develop the remaining 234 (22 percent) homes. Over the course of the year, DHS increased the number of staff assigned to each of its internal regional recruitment teams and approved 485 new traditional foster homes by the end of the year. This represents 45 percent of the total 1,080 new homes approved and twice the number of homes it projected DHS would develop. DHS' private agency partners approved 595 new homes, 55 percent of the annual total of new homes developed in SFY16.

Figure 6: SFY16 New Foster Homes Developed by Agency (Total=1,080)

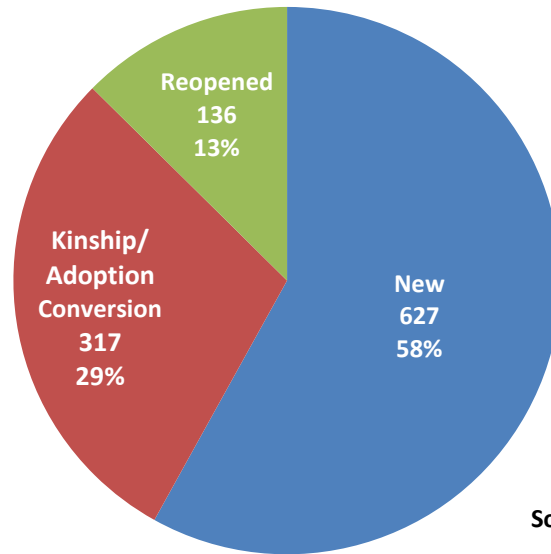


Source: DHS Data

Of the 1,080 foster homes approved during SFY16, 627 families (58 percent) were newly recruited by DHS and the private agencies, 317 homes (29 percent) were already approved by DHS as adoption or kinship homes and were then converted to traditional foster homes, and 136 (13 percent) were DHS resource homes⁶ that were closed for more than a year and reopened during this 12-month period.

⁶ DHS resource homes that are reopened could have been previously approved as a number of different types of DHS resources, including traditional, kinship, emergency foster care, TFC and DDS homes.

Figure 7: SFY16 New Foster Homes by Type (Total=1,080)



Source: DHS Data

SFY16 – Net Gain Target and Performance

On July 1, 2015, DHS began the fiscal year with a starting baseline of 1,855 foster homes and on June 30, 2016, DHS ended the fiscal year with 2,373 open homes, which represents a total net gain of 518 homes. While the net gain is 16 homes shy of the final target established at 534 homes for SFY16, an annual net gain of 518 is significant and almost double the highest annual net gain DHS has achieved during this reform effort.⁷

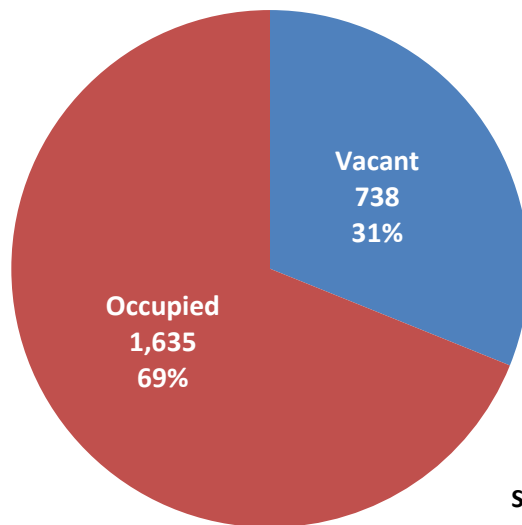
Of the 1,855 foster homes open on July 1, 2015, 585 were no longer open on June 30, 2016 for a SFY16 closure rate of 32 percent. Of the 1,080 new homes DHS approved during SFY16, 76 closed by June 30, 2016, for a new home closure rate of seven percent.

Vacant Foster Homes – Rates and Duration

Of the 2,373 foster homes open on June 30, 2016, sixty-nine percent (1,635) were occupied and 31 percent (738) were vacant.

⁷ DHS achieved a net gain of 265 homes in SFY14 and 177 homes in SFY15.

Figure 8: Occupancy Rate of Foster Homes (Total=2,373)



Source: DHS Data

The Table below shows the length of time these 738 homes remained vacant of any placements of children in DHS' custody. Two hundred (27 percent) of these 738 homes were vacant for at least three months and 79 (11 percent) were vacant at least six months. The majority of the vacant homes (73 percent) went without the placement of a child in DHS custody for less than 90 days; however, there has been an increase in the percentage of homes reported as vacant. On January 1, 2016, DHS reported that 22 percent of all its foster homes open (1,961) at that point in time were vacant compared to the 31 percent reported as vacant on June 30, 2016.

DHS has informed the Co-Neutrals that newly approved homes, particularly homes developed by the private agencies, will sometimes wait several weeks before accepting their first child for placement. DHS approved 252 foster homes within the last 60 days of SFY16, a factor that contributed to the higher point in time vacancy rate reported on June 30, 2016, as 132 (52%) of these newly approved homes were vacant on July 1st and preparing to accept their first placement. DHS and its partners will need to ensure these new homes and all homes showing any vacancy periods have the preparation, training and support they need to begin and continue to accept timely placements.

Table 2: Status of Vacant Foster Homes as of July 1, 2016⁸

Home Status	No.	Percent
Vacant 1-30 days	315	43%
Vacant 31-90 days	223	30%
Vacant 91-182 days	121	16%
Vacant 6 months - 1 year	66	9%
Vacant 1 year or more	13	2%
Total Vacant	738	100%⁹

DHS Strategies to Build Capacity and Expand Available Foster Homes

DHS' recent success in approving record numbers of new homes each month represents the state's focused efforts to build its capacity - internally and externally - to reach and recruit more families across the state and support them through the home approval process.

As previously reported, DHS established teams of foster home recruiters in each region and has increased the staff assigned to these teams. At the end of the reporting period, DHS had assigned seven recruiters and one supervisor to each regional office. DHS has continued to work with national consultants to refine recruitment plans developed for each region that appropriately target the needs and characteristics (i.e., county of origin, sibling groups, age range, cultural diversity, medical needs etc.) of the children placed in DHS' custody from each area of the state.

During this report period, DHS also expanded its external partnerships and recruitment capacity by opening up contracting opportunities to all qualified private agencies interested in recruiting, supporting and managing traditional foster homes. As a result, DHS now has in place foster home contracts with 18 private agencies, a significant increase from the four agencies it first contracted with three years ago. Each of these current 18 contracted agencies also receive training and support from DHS' national consultants to craft data-driven, targeted recruitment plans to meet the individual needs of children in DHS' custody.

At the forefront of DHS' recruitment strategies has been the Oklahoma Fosters Initiative. With Oklahoma Governor Mary Fallin as the leading champion for the initiative, DHS, the Governor's office, leaders of the faith-based community and other committed stakeholders have worked to

⁸ In the Co-Neutrals' data validation process, 37 vacant foster homes jointly approved as another type of resource (adoption, DDS, etc.) were identified as occupied by children in those other resource types on July 1, 2016. DHS reports that 39 foster homes listed as vacant on July 1, 2016 were occupied by children under a separate resource type.

⁹ The percentage may not add to 100 due to rounding.

rally support across the state and bring greater attention to Oklahoma's need for more foster homes. The initiative employs grassroots efforts (community forums and church based outreach) and mass media communications to amplify DHS' recruitment message statewide.

DHS reports that it is continuing its work to make the foster home approval process both supportive and efficient for prospective foster parents who apply for home approval. DHS' efforts in this area include weekly or bi-weekly calls with each of its private agency partners to review those families currently in the approval pipeline. Additionally, the ongoing work of DHS' Barrier Buster workgroup has been central to identifying any emerging concerns or real-time barriers in the approval process that need to be addressed.

Through their ongoing joint review for improvements in the foster home approval process, DHS and its partners will also need to maintain an uncompromised commitment to approve only homes that it can ensure will provide a safe and healthy environment for children in DHS custody.

Integration of Foster and Adoption Homes Programs

As the Co-Neutrals highlighted in the previous Commentary, DHS committed to integrate its foster and adoption staff and offices into one program. The goal of the integration is to develop a unified Resource Family Model that will streamline DHS' processes and maximize both staff and home resources to best serve children in DHS' custody who need foster or permanent adoptive homes. An integrated system will also allow families to initially be approved to foster or adopt and to move seamlessly to participate in either program type without having to reapply to have their home approved as a different type of resource.

DHS has worked diligently with its system partners during this report period to plan for changes to the many operational components involved in the new unified model. DHS established seven workgroups to lead the implementation work for the following areas: 1) Work Flow: identifies the staff positions and job descriptions necessary to manage the workflow of the integrated resource model from the initial inquiry from an interested resource family to the successful finalization of a child's permanency plan, including adoption; 2) Workload Distribution: uses DHS' data on current foster and adoption resources to identify workload and the number of staff and supervisor resources needed for each position and location; 3) Customer Service: ensure that customer service is considered throughout all aspects of the new model; 4) Policy and KIDS Reports: assess current policies and data collection/reports for any changes needed to operate and manage the new integrated system; 5) Training: identify training needs and develop a training plan for DHS' staff and external partners and stakeholders; 6) Communications: Inform internal and external stakeholders about the goals and processes of the Resource Family Model; and, 7) Space/Logistics/Technology.

The Co-Neutrals recognize that this system change is a substantial undertaking by DHS and commend its leadership for investing the necessary time now to achieve better efficiencies in the new resource home program. DHS began working toward full implementation of the new Resource Family Model in October 2016 and the Co-Neutrals will report on DHS' progress in the next Commentary report.

Supporting and Retaining Foster Homes

For those families that have been approved and serve as traditional foster homes, DHS reports that it continues to rely on its Foster Parent Support Workgroup to identify services or supports foster parents need, develop solutions to any trending concerns impacting foster families and proactively explore opportunities for service enhancements. The Foster Parent Support Workgroup includes foster parents, DHS child welfare staff and representatives of tribes, foster care private agencies and other community partners and foster parent advocates. The workgroup is comprised of four sub-workgroups to address the following issues initially identified as most important for the group: 1) foster parent involvement in case planning; 2) foster parents' access to staff support during periods of crisis; 3) foster parents' access to respite care; and 4) creating opportunities for foster families to have greater contact and interaction with each other.

DHS reported that the workgroup and its sub-workgroups would convene monthly and focus on specific tasks and deliverables so that concrete action steps could be tracked and implemented to improve the experience and retention of foster families. During this period, DHS reported that there have been some inconsistencies with participation in the subgroups, but that the workgroup resumed monthly meetings in June and would continue to meet monthly. Supporting and retaining DHS' current foster homes is as important as developing new homes. If DHS intends for this workgroup to continue to spearhead the state's efforts to develop solutions to improve communications between foster parents and caseworkers and build support for foster parents, it will need to ensure that the workgroup remains a consistent priority in terms of DHS leadership attention, staffing and timely follow up.

DHS reported that the sub-groups have made some progress in developing information resources identified as important to foster parents. The subgroup working on solutions to help foster parents be more involved in their foster child's case is formulating plans to help caseworkers use their monthly contacts with foster parents to improve customer services and to appropriately include foster parents in case planning. The group also is identifying a list of materials to share with foster parents including: a guide for new foster parents on what questions to ask caseworkers so that foster parents can be informed about their child's case; materials on discipline; and, a flowchart that outlines the differences between informal babysitting, alternate caregivers and respite care.

DHS previously identified that foster parents have concerns regarding respite support, and a subgroup on this topic was established. While a flowchart might be helpful to foster parents in understanding the differences between respite care and other forms of child care support, DHS must also ensure that caseworkers are consistently engaging foster parents about their possible need for respite care and providing a clear path on how to access this support service. In discussions with caseworkers in various districts, it appears that many frontline staff do not consider respite care as a support service that is generally available to foster families.

As of July 1, 2016, DHS' data showed that there were 76 open respite homes statewide; however, all of these respite homes were empty that day. As shown in the Table below, only six of these homes had a placement within the prior 30 days; however, almost 60 percent (45) of the respite homes had been vacant of any respite placement for at least six months.

Table 3: Vacancy Status of *Respite Only* Foster Homes, July 1, 2016

Home Status	No.	Percent
Vacant 1-30 days	6	8%
Vacant 31-90 days	12	16%
Vacant 91-182 days	13	17%
Vacant 6 months - 1 year	28	37%
Vacant 1 year or more	17	22%
Total	76	100.0%

It is important that DHS ensures that caseworkers are clear on the process for securing approved respite home services for the families they support. Further, DHS needs to ensure that the homes listed as being open to provide respite support are in fact prepared to receive respite placements.

A foster parent mentoring initiative has been developed in response to foster parents expressing an interest in having more interaction with other foster parents, particularly for new foster parents who would like to learn from families with more fostering experience. DHS reported that a private foundation has expressed interest in supporting the state's foster parents and plans to work with this community partner on the foster parent mentoring project.

DHS reported there are five Family Support Network groups (one in Pottawatomie, one in Sequoyah and three in Tulsa) coordinated by Oklahoma University's National Resource Center for Youth Services, as well as other foster parent support groups across the state that DHS staff attends and supports. While positive for the families in these three counties, DHS should

explore if there are any areas of the state where foster parents do not have access to a support group and help establish communication networks for foster families in those areas.

DHS is continuing its “Support is Everyone’s Job” training statewide to highlight the importance and opportunities for all child welfare staff to support foster parents. Most importantly, however, resource family caseworkers need to have access to services and supports most important to foster parents and regularly engage their families to understand and meet their needs. DHS leadership has acknowledged that improvements are needed in this area and report they are working to make it a priority. It is also important to recognize that DHS’ progress to reduce caseloads will further support foster care workers in their efforts to improve their practice. The Co-Neutrals will continue to monitor DHS’ efforts to increase supports for resource families and provide an update in their next Commentary.

FY17 - Foster Home Targets

Under the CSA, the Co-Neutrals are authorized to verify and confirm a baseline of available homes and approve DHS’ performance targets. For SFY17, DHS and the Co-Neutrals established a target of 1,080 new non-kin foster homes and an annual net-gain target of 325 homes.

As reported in the last Commentary, DHS completed a comprehensive placement needs assessment in December 2015 based on a review of historical data to analyze the number of homes Oklahoma needs to: create a robust pool of foster homes sufficient to make placement decisions based on the individual needs of children rather than on bed availability; place together sibling groups of various sizes that are currently separated; return to their home counties children currently living outside their counties of origin; provide family-based placements for children waiting to step down from higher level care; and, develop foster homes that can meet the needs of children with developmental disabilities and special medical needs.

To establish the SFY17 new foster home targets, DHS and the Co-Neutrals worked together to refine the needs analysis and determine, based on the most recent data, the total number of homes the state needs to appropriately match children in DHS’ custody with family-based placements.

The updated analysis for SFY17 builds on DHS’ December 2015 assessment and also takes into account additional homes needed to address the fact that some current foster homes are overfilled and, in most cases, should only care for the number of children the home was originally approved to accept for placement. Further, the needs assessment adds homes needed to allow for a 50 percent choice factor, which will provide choice options in selecting best placements, and includes a utilization factor that takes into consideration that, at any

given time, a percentage of homes will be in transition and not accept placements. In total, DHS identified that Oklahoma needs 3,022 traditional non-kinship foster homes. This is 649 more foster homes than the total of 2,373 foster homes that DHS had open on July 1, 2016. As such, DHS needs a total net gain of 649 foster homes, which represents a need to achieve annual net gains of 325 homes during both SFY17 and SFY18. Based on annual net gain targets of 325, an annual target to develop 1,080 new foster homes for SFY17 was established after taking into account a 29 percent annual home closure rate,¹⁰ understanding that DHS, like all systems, will close a significant number of homes each year that must be replaced.

DHS understands that matching children to the homes that best meet their needs requires a focused effort by DHS and all its partners to recruit homes that accept placements of those children for whom finding a placement is currently more challenging. In discussions with over 100 caseworkers in the field during this period, the Co-Neutrals learned that it has become easier to locate an appropriate placement for younger children but that it can still take considerable time to find placements for older children.

Finding family-based placements for teenagers and children with special needs, including children who are medically fragile or have developmental disabilities, is and needs to be at the forefront of DHS' recruitment efforts. DHS regularly assesses and shares with its partner agencies data to understand which counties are in most need of families who will care for harder to place children and youth. A continued focus on strategies to recruit families to serve these children, as well as a deeper understanding about resource and other support needs, is vital to advance stability and permanency, particularly for teenagers.

In order to build a connection and interest with prospective foster families to open their homes to older children, DHS reported it intends to include teenagers in DHS custody in the foster parent pre-service training orientation. In addition, for children with developmental disabilities, DHS reported it has established internal teams focused on recruiting families for children in custody who have developmental disabilities. DHS has brought together and cross-trained its staff and Developmental Disability Services (DDS) staff to advance this effort. At the end of this period, DHS reported that there were 23 children with developmental disabilities in DHS' custody, most of whom still need a family-based placement. As part of this collaborative work, DDS identifies for the caseworker and the foster care program the child's needs and

¹⁰The annual closure rate of existing foster homes was calculated using the actual SFY16 closure rate (31.5 percent) and trending the SFY16 closure rate down by 2.5 percent, which was the percentage reduction DHS experienced between its SFY15 (34 percent) and SFY16 (31.5 percent) closure rates.

potential services available so that a potential foster family may know upfront what wrap around services can be provided for them and the child.

DHS' targeted recruitment work, focused on specific characteristics and needs of children, is in the early stages and DHS will need to monitor its strategies closely to work through barriers, adjust efforts as needed and expand on successes where they exist. Targeted recruitment and, as noted above, consistent work to expand supports for, and improve the experience of, foster families must be a priority for DHS going forward to sustain and expand upon the statewide recruitment success the state achieved this period.

B. Therapeutic Foster Care

Children who are eligible to be placed in therapeutic foster care (TFC) homes are those who have been assessed to have emotional and behavioral health needs, and can live in the community with specially trained foster parents and supported therapeutic services. DHS committed to develop a sufficient pool of TFC homes within its continuum of available placement settings in order to: avoid placing children in higher levels of congregate care; step-down children from higher levels of care; ensure that appropriate services are provided for children in need of behavioral health treatment; and, support more stable placements.

As noted in greater detail below, DHS did not meet its new TFC home target this report period and, in fact, reported a significant net loss of TFC homes in SFY16. DHS has not been able to meet its new TFC home target in any year of the reform. However, DHS' challenges with its TFC program extend well beyond the lack of homes developed or retained in its pool of TFC resources.

In every Commentary, the Co-Neutrals have raised a number of concerns regarding DHS' TFC programming and management. These issues include a persistently high vacancy rate of open TFC homes at the same time DHS has sought to reduce its list of children waiting for a TFC placement. The lack of a system or process that allows DHS and its agency partners to match children needing a TFC placement with a TFC home continues to hinder the efforts of DHS' staff to meet children's needs.

Unfortunately, for most of this report period, DHS did not bring the necessary focus and attention to analyze, problem-solve and carefully design implementation plans to improve its TFC recruitment and programming efforts. As a result, the Co-Neutrals do not find that DHS has made good faith efforts to achieve substantial and sustained progress toward the TFC Target Outcome.

Need for Different Core Strategies

At the end of 2015, DHS leadership acknowledged that the core strategies they had finalized in August 2015 to improve the TFC program, primarily through the implementation of new performance-based contracts, were not achieving the intended results and that new approaches, possibly wholesale changes, were needed.

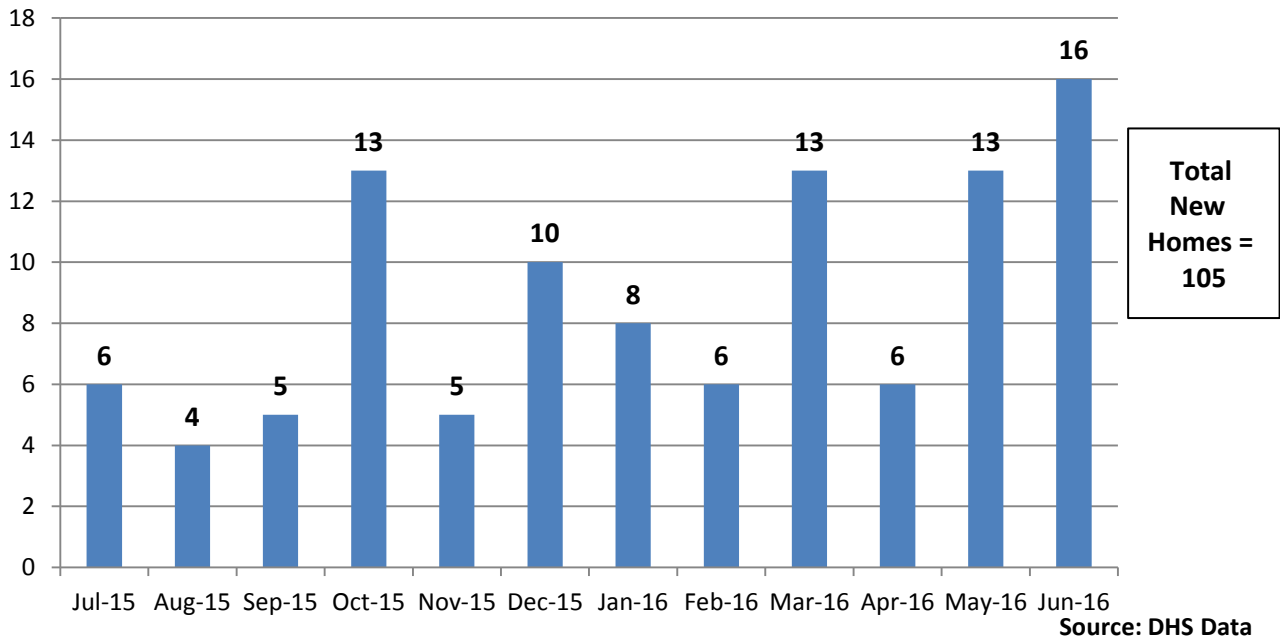
In March 2016, DHS presented a tentative proposal that represented a significant change in its recruitment model. DHS proposed assigning shared recruitment areas to specific TFC agencies and charging those agencies with the responsibility to recruit child-specific homes for children from their assigned area who met the criteria for a TFC home. The assigned agencies would be offered financial incentives for locating or developing a TFC placement within 45 days for the identified child or penalized financially if a TFC placement was not made available after 45 days. In July 2016, DHS reported that it had attempted to implement this new approach over several weeks but found that it could not track and manage the initiative and that it was not a workable endeavor for either DHS or its partner agencies.

In May 2016, DHS outlined a plan, as suggested by the Co-Neutrals, to undertake a comprehensive qualitative and quantitative evaluation of its TFC program. At the end of this report period, DHS assigned a new point person to lead this effort to evaluate the characteristics of children placed in TFC homes, and to understand the admission criteria, and processes for placement in a TFC home. DHS is examining the types of child behaviors and diagnoses that present a greater challenge to locate a TFC placement; and length of stay, placement stability and permanency outcome data for children in TFC homes. DHS has also established a steering committee of stakeholders to help with the qualitative assessment and the next phases of DHS' more general plan to develop core strategies focused on TFC placement decisions and availability (phase 2) and recruitment and retention (phase 3).

SFY16 TFC New Home Development

DHS reported that it had developed 105 new TFC homes during SFY16. The Target Outcome for new TFC home development for SFY16 was set at 172. On July 1, 2015, DHS began the fiscal year with a starting baseline of 446 TFC homes and on June 30, 2016, DHS ended the fiscal year with 389 open TFC homes, which represents a total net loss of 57 TFC homes. Of significance, 45 of the 57 TFC homes that constitute the fiscal year net loss were regular TFC homes that were correctly re-categorized to respite TFC homes (which do not count in the pool of TFC homes).

Figure 9: New Therapeutic Foster Homes by Month, July 2015-June 2016



Longstanding TFC Vacancies

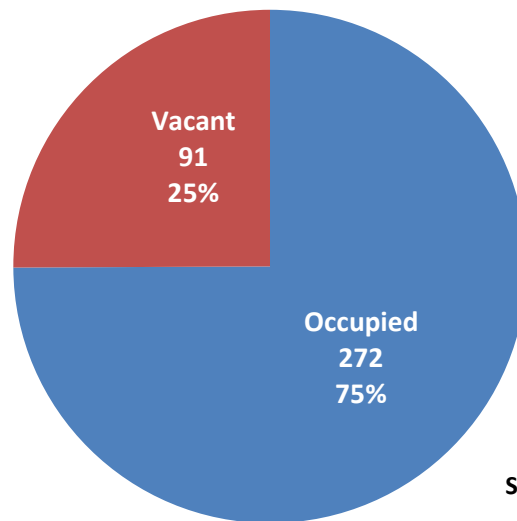
In the April 2016 Commentary, the Co-Neutrals reported that DHS had committed to contact its agency partners to inquire about any TFC homes that remained vacant for more than 90 days and that this review of chronically vacant homes would be regular practice. Again, the Co-Neutrals have raised concerns every report period about the high vacancy rates of TFC homes and DHS’ lack of progress to address the status of a substantial number of longstanding vacant TFC homes that DHS has continued to report as part of its pool of TFC homes available for placements.

In August 2016, after the end of the SFY16 report period, DHS informed the Co-Neutrals that it had identified and would close 76 TFC homes unavailable for placements that had been vacant for at least 180 days (six months) and should have been closed earlier. As a result, the Co-Neutrals and DHS have recalculated the SFY17 starting baseline of open and available (non-respite) TFC homes as 363.¹¹

¹¹ The closure of these homes was backdated to June 30, 2016 to avoid carrying these permanently unavailable homes into the next fiscal year. The July 1, 2016 baseline was reduced by 26 and not the full 76 unavailable TFC homes because 48 homes had already been excluded from the baseline because they were coded as respite TFC homes and two homes were already excluded from the baseline as a duplicate count.

DHS' data shows that of the remaining 363 TFC homes open in July 2016, 75 percent (272) were occupied as TFC resources and 25 percent (91) were vacant.

Figure 10: Occupancy Rate of TFC Homes (Total = 363)



Source: DHS Data

As shown in the Table below, of the 91 vacant TFC homes, twelve of these homes had been vacant for over one year. The majority of the unoccupied TFC homes (62) had been vacant less than 90 days.

Table 4: Status of Vacant TFC Homes as of July 1, 2016¹²

Home Status	No.	Percent
Vacant 1-30 days	37	41%
Vacant 31-90 days	25	27%
Vacant 91-182 days	17	19%
Vacant 6 months - 1 year	0	0%
Vacant 1 year or more	12	13%
Total	91	100%

¹² Sixteen vacant TFC homes were jointly approved as another type of resource (adoption, DDSD, etc.) and were occupied by children in those resource types on July 1, 2016.

Core Strategies

As summarized in this and previous Co-Neutral Commentaries, DHS' TFC strategies and efforts have not been focused and productive and new strategies must be carefully designed to achieve the goal of establishing an efficient and effective TFC program in Oklahoma. As noted above, DHS has embarked upon a comprehensive assessment of the TFC program. The assessment intends to determine key areas where DHS needs to focus improvements and inform whether DHS must substantially reconstruct its model for family-based therapeutic foster care. Based upon this program assessment, DHS has committed to have a new set of core strategies approved by the Co-Neutrals by December 31, 2016. Following this approval, DHS will need to move forward swiftly to make up for significant time lost through the entirety of this reform to achieve substantial and sustained progress to enhance its TFC program and pool of available homes.

SFY16 Target – New TFC Homes

As DHS prepares to make programmatic improvements to its TFC model and operations, it also will continue to focus on recruiting new TFC homes. To advance the development of new TFC homes, DHS has begun to incorporate the recruitment of TFC homes in its Oklahoma Fosters statewide campaign.

For SFY17, DHS proposed and the Co-Neutrals approved a target of 172 new TFC homes. If DHS is able to approve 172 new TFC homes over this 12-month period, it will be the largest number of TFC homes developed in a single year during this reform, and 50 more homes than the 122 TFC placements DHS developed in SFY15. The Co-Neutrals also have established a net gain target of 55 TFC homes for SFY17.

For SFY18, the Co-Neutrals have requested that DHS plan to establish the annual new TFC home target based on the findings of DHS' comprehensive assessment and a needs analysis that is also based on those findings.

As noted in the foster care section above, DHS established recruitment teams that will develop foster homes for children with developmental disabilities, as well as children who are medically fragile. DHS has explored options to work with the Oklahoma Health Care Authority (OHCA) to expand the criteria for TFC placements to include children with developmental disabilities and who are medically fragile; however, DHS has reported that funding limitations preclude the state's ability to move ahead with this change. Developing a sufficient number of therapeutic homes for children with developmental or medical challenges is particularly important to avoid

having these children languish in non-family-like settings, particularly the Laura Dester shelter in Tulsa, which has become the placement of last resort for many of the children whom DHS has had the greatest challenge to place.

After the close of this report period, DHS and the Co-Neutrals met with OHCA’s leadership to explore other alternatives within OCHA’s menu of options to use their authority’s expertise and available funding, particularly through Medicaid, to support family-based placements for children with developmental disabilities, medical needs or who may be dually-diagnosed with both developmental and behavioral challenges. The Co-Neutrals will continue to review DHS’ efforts to collaborate with OHCA to employ some of these options.

C. Caseworker Caseloads and Supervisor Workloads

Establishing and maintaining manageable caseloads for child welfare caseworkers is essential to child safety, well-being and permanency (either permanency with the child’s family of origin or a new family). DHS committed to achieve the following caseload standards for child welfare workers and workload standard for supervisors:

Table 5: Pinnacle Plan Caseload and Workload Standard Commitments

Role	Standards	Weight Per Case
CPS	12 Open Investigations or Assessments	0.0833
OCA	12 Open Investigations	0.0833
Family Centered Services	8 Families	0.125
Permanency Planning	15 Children	0.0667
Resource	22 Families	0.0455
Adoption	8 Families & 8 Children	0.0625
Supervisors	1 Supervisor Dedicated to 5 Workers	0.2 per worker

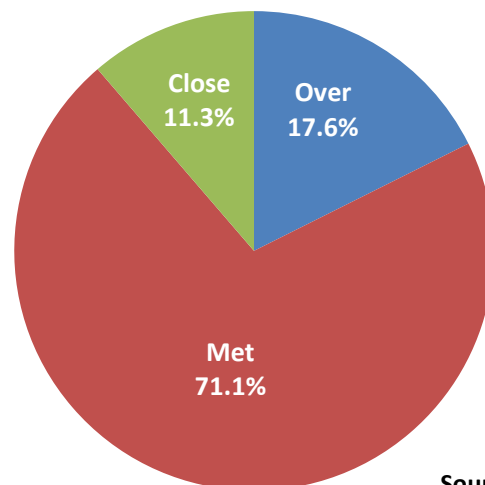
Performance – Target Outcomes

DHS reported that as of June 30, 2016, 71.1 percent of all caseworkers met the established standard, with 11.3 percent of workers close to the standard and 17.6 percent over the standard. Similar to the progress DHS reported for the last period, DHS made substantial gains in the number of caseworkers meeting their caseload standard and did so during a time of severe budgetary strain for the state. DHS increased compliance by 10 percent in just six months from 61 percent reported on December 31, 2015 to 71 percent on June 30, 2016. Equally important is that the number of caseworkers over their workload standard decreased

by just over 10 percent, falling from 28.8 percent over the standard on December 31, 2015 to 17.6 percent on June 30, 2016.

DHS has continued to recruit, hire and train more caseworkers, despite the statewide budget constraints and workforce reductions that have affected many of DHS' other programs. The department continued to maintain its commitment to implement graduated caseloads for new workers in an effective effort to retain more of them. These concerted efforts to hire and retain new caseworkers has resulted in DHS' increasing caseload compliance by over 20 percent since the beginning of SFY16 when it reported that 48.9 percent of caseworkers had individual workloads consistent with the agreed-upon standard. The Co-Neutrals find that during this six-month report period, DHS made good faith efforts to achieve substantial and sustained progress toward the caseload Target Outcome.

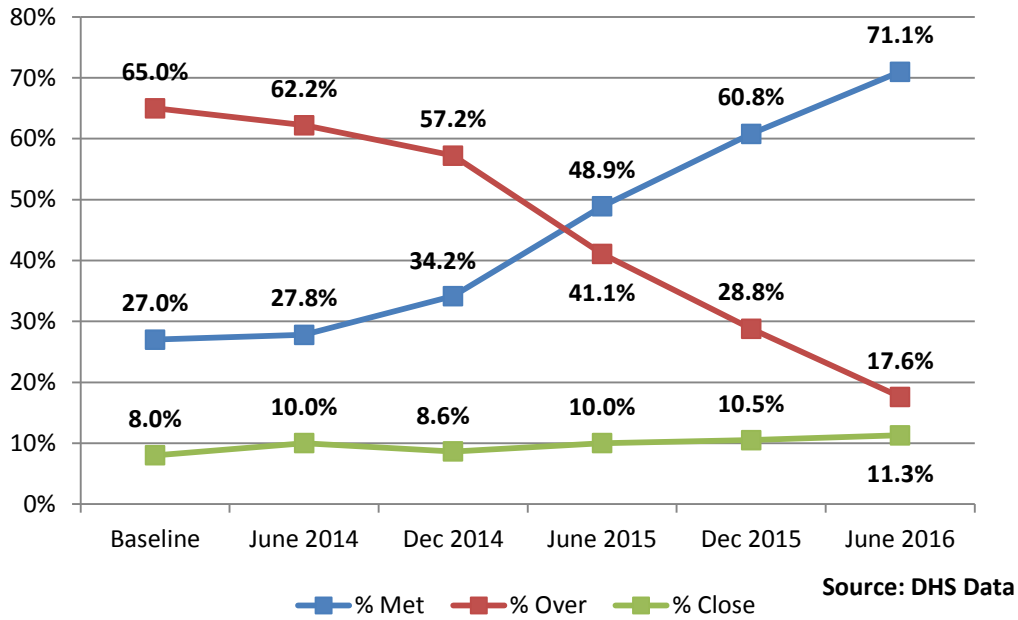
Figure 11: Workers Meeting Caseload Standards, June 30, 2016



Source: DHS Data

DHS still has work ahead to ensure it has a sufficient number of caseworkers in the right positions and that it maximizes its staffing resources toward its Target Outcome of 90 percent caseload compliance. Achieving this goal is well within DHS' reach. As shown in Figure 12 below, DHS has completely and positively reversed its caseload compliance status since the original baseline and now reports more caseworkers meeting the standard (71.1 percent) than the starting number of workers (65 percent) who exceeded their caseload allowance.

Figure 12: Worker Caseloads: Percent of Workers Meeting Caseload Standards



Priority Districts and Core Strategies

DHS continues to implement its core strategies as previously reported and they are working. DHS is striving to achieve the case carrying capacity it needs through regular district level reviews of hiring, retention and caseloads data. In addition, DHS is tracking the implementation of its core strategies to retain workers with graduated caseload assignments and mentor support for new caseworkers.

On December 31, 2015, DHS reported that 78.5 percent of all caseworkers eligible to carry a graduated caseload of 25 or 50 percent met the graduated standard and, six months later, that compliance outcome increased to 86.3 percent by June 30, 2016.

In meetings held in every region of the state with caseworkers of all types and years of service, the Co-Neutrals discussed graduated caseloads. Some of the more experienced caseworkers shared that they originally had concerns about the ongoing pressure it placed on them to carry a caseload sometimes well beyond the full standard while new workers incrementally accepted assignments. However, experienced and new workers alike expressed overwhelming agreement and appreciation for this strategy as both an effective measure to curtail high turnover among new workers, and a practical way to ease new workers into this challenging work.

Caseworkers also described how caseload reductions have impacted their experience in the field. One worker simply stated, “I can breathe.” Another caseworker expressed relief that she can now focus on doing real social work to help the children and families assigned to her and still have time to spend with her own family. Other workers shared that while the number of cases assigned to them is significantly more manageable, the level of case practice work they must now accomplish under this comprehensive reform effort has increased significantly. DHS still has additional work ahead to ensure every district and all caseworkers feel the same relief of having manageable caseloads. However, with the progress that DHS has achieved so far with caseload compliance, leadership is now well-positioned to focus on strengthening and elevating case practice to best ensure the safety, permanency and well-being of all children in DHS custody.

Statewide Caseworker Staffing Levels

At the end of the report period on June 30, 2016, DHS reported a total of 1,792 case carrying staff, of whom 1,660 were carrying at least one case. Of the remaining 132 caseworkers not carrying a case, 73 were still in training and not eligible yet to receive case assignments. There was an increase of 157 caseworkers carrying at least one case since December 31, 2015, when 1,503 caseworkers were assigned at least one case. The total number of caseworkers on board increased modestly from last period, increasing from 1,774 on December 31, 2015 to 1,792 on June 30, 2016.

District by District Caseload Management

In March 2016, DHS reduced the total number of caseworker positions it had authorized its local offices to fill statewide from 2,094 to 1,966. DHS adjusted the number based on a steady decline in the statewide total number of cases assigned, which includes the total number of children in custody, total number of open investigations, total number of resource homes managed, etc., as well as a district by district review of the remaining number of positions needed to meet the caseload Target Outcome.

In May 2016, DHS adopted a modified approach to identify the priority districts with which DHS leadership would confer regularly to review their caseload data and problem-solve barriers to improvement. DHS had previously selected ten priority districts based on their combined challenges with caseload compliance, vacant positions and retention. In its updated approach, DHS decided to select priority districts that needed guidance and support to improve caseloads by identifying all districts that needed to address the following three areas of concern: more

than 10 percent of caseworker level II positions are vacant (DHS selected 10 districts¹³); caseworker turnover (DHS selected 13 districts); and workload management (DHS selected 12 districts). For the first two areas of focus, vacant positions and turnover, DHS already had in place strategies to increase hiring and retention, i.e., graduated caseloads to promote caseworker retention. The new focus area of workload management represents the challenge of having a disproportionately high percentage of workers in some districts who are not meeting their caseload standard despite there being enough caseworkers onboard to manage a significantly higher percentage of the cases assigned to a particular district.

For example, one of the districts selected as needing workload management improvement showed on June 30, 2016 that only 20 percent of caseworkers complied with their workload standard; however, DHS also reported that on the same date, the district had 72 percent of the case carrying capacity it needed to manage the district's full workload. This district did not have enough caseworkers to cover the full caseload at 90 percent or even 72 percent, especially when taking into account that some workers on board could only carry a graduated caseload of 25 or 50 percent (or zero cases if still in training or on extended leave) but it certainly did have enough available caseworkers to achieve a better compliance rate than 20 percent.¹⁴

Adjusting case assignments to support better compliance and distribution of work is best accomplished as new cases rotate in and out of a district's workload. While some adjustments can be made by transferring existing cases, DHS acknowledges this approach must be managed carefully with case reassignments made only when case practice and children's best interests are not compromised.

For the 10 districts that DHS identified as needing to focus on filling vacant positions, five had filled at least 90 percent of their caseworker level II positions by the end of September 2016. At that point in time, DHS also reported that statewide 20 out of 29 districts (which includes foster care and adoptions as "districts") had at least 90 percent of all caseworker positions filled and for the remaining nine districts an average of 83 percent of their positions were filled. From an

¹³ Vacancies and position allocations for DHS' foster care and adoption programs are tracked and monitored separately, similar to the 27 districts. Some of the districts selected are included in more than one of the three challenge areas identified.

¹⁴ More recent DHS data for the district at the end of September 2016 showed that caseload compliance increased to 59 percent. It is also important to note that over this same time period the district increased the number of staff on board available to carry cases, in part because DHS' focused leadership identified the district as needing support to fill vacant positions. As of September 2016, the district had 93 percent of positions filled and 82 percent of the case carrying capacity needed to manage its total workload at that time.

aggregate view, of the total 1,966 case carrying positions that DHS currently has authorized and targeted to fill, 1,776 (90 percent) were filled as of September 2016.

DHS has made substantial and sustained progress over the last two periods with caseload compliance by reducing the number of districts that were previously identified as having too many vacant positions and supporting retention through graduated caseloads. And, while DHS needs to continue to improve workload management to maximize its resources and caseload compliance, DHS also needs to continue to closely monitor changes in its staffing levels. DHS must ensure that it maintains an appropriate pipeline of newly hired workers who are ready to fill positions vacated permanently (or through extended leave) so that caseload compliance does not backslide in what is still a relatively new trajectory of caseload improvements. For example, while DHS had a total of 1,792 caseworker positions filled on June 30, 2016, there were 1,776 (sixteen fewer) caseworker positions filled at the end of September 2016. It is normal for a system to experience some shifts in the number of staff on board, but DHS is still in the process of stabilizing its workforce and striving to meet its Target Outcome of 90 percent caseload compliance. As such, continuous close monitoring of hiring, turnover, and resource capacity, and focused management, remain keenly important and must continue at the district level.

New Resource Family Model – Caseloads and Positions

As noted in the foster care section above, DHS is in the process of integrating its foster and adoption home programs into one resource family model and program. Part of the integration process involves merging caseworker positions that historically have been assigned to manage DHS’ foster and adoption homes separately.

DHS reports caseloads data by worker type as shown in Table 6 below, which presents a comparison of December 31, 2015 and June 30, 2016 caseloads.

Table 6: Caseload Compliance Classification by Worker Type

Worker Type	Total Dec 31, 2015	% Met	Total June 30, 2016	% Met
BRIDGE-ADOPTION	87	71.3%	89	47.2%
BRIDGE-FOSTER CARE	179	50.8%	238	83.6%
INVESTIGATION	449	70.8%	462	74.9%
PERMANENCY PLANNING	704	53.1%	776	65.6%
PREVENTIVE/VOLUNTARY	82	81.7%	91	89.0%

As the data in the Table above shows, DHS experienced a remarkable decrease of 24.1 percentage points in caseload compliance for adoption workers over this six-month report period. In their own analysis of this data, the Co-Neutrals found that the total case weight of all adoption cases increased from a workload requiring 98 adoption caseworkers last period to one requiring 112 in the current period: a workload increase requiring an additional 14 caseworkers. At the same time, DHS had a total of 87 adoption caseworkers on December 31, 2015 and increased this by just two staff with 89 adoption workers on June 30, 2016. In May 2016, toward the end of the report period, DHS had also identified the adoption program as an area where additional hiring would be a priority focus.

In contrast to the change in adoption caseloads, DHS reported that compliance among foster care workers showed an even more remarkable change, with a positive increase of 32.8 percent. Caseload compliance for foster care workers was 50.8 percent on December 31, 2015 and 83.6 percent just six months later. The Co-Neutrals found in DHS' detail data a slight decline in total foster home case weight: foster care cases assigned on December 31, 2015 required the case carrying capacity of 197 foster care workers, which decreased to 193 by June 30, 2016. However, the primary reason caseload compliance increased so dramatically for foster care workers was the result of DHS' achieving a net increase of 59 foster care caseworkers during this period. There were 179 foster care workers on December 31, 2015 and 238 on board six months later.

DHS reports that as it analyzes caseloads and assesses the appropriate number of total caseworkers (meaning adoption and foster care workers combined) needed for the new resource family program, it has identified some double counting of cases, which appears to negatively impact caseload compliance data reported for June 30, 2016. The Co-Neutrals will continue to monitor DHS' efforts to achieve manageable caseloads for resource workers through this integration, which represents a major shift in DHS' system and operations, as well as a very positive practice change.

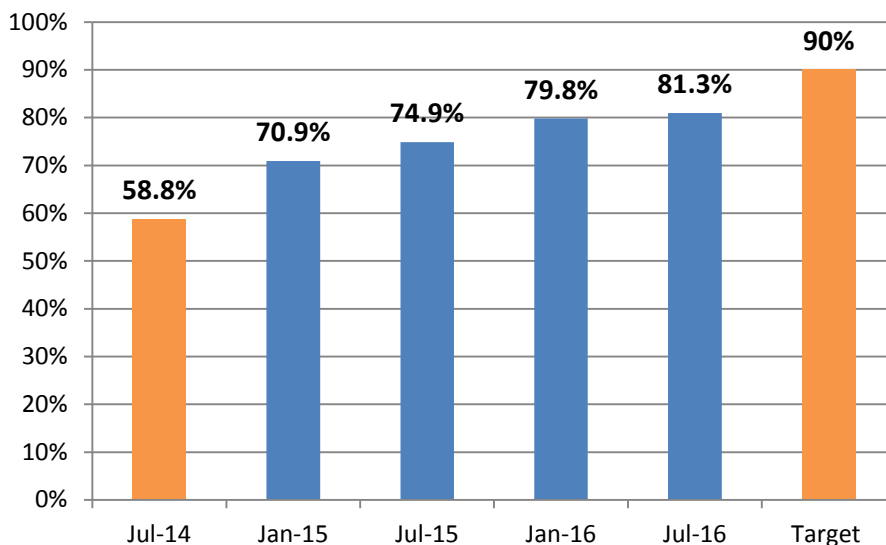
Performance Standards and Target Outcomes – Supervisor Workloads

DHS understands that strong supervisory support for caseworkers, especially new caseworkers, is essential to supporting effective and consistent child welfare practice and positive outcomes for children and families. DHS committed to meet the same target for supervisor workloads as it did for caseloads: 90 percent of supervisors meeting the 1:5 caseworker ratio by a final target date of June 30, 2014.

Although DHS has not achieved the target of 90 percent of supervisors meeting the 1:5 workload standard, DHS has continued to show substantial and sustained progress with the number of supervisors meeting the standard. As of June 30, 2016, DHS' data showed that 81.3

percent of supervisors met the 1:5 workload standard, compared to 79.8 percent on December 31, 2015. DHS also reported a positive decline (7.3 percent down to 5.3 percent) for the percent of supervisors managing workloads over the standard. Overall, DHS' compliance with supervisor workloads continues to trend positively. DHS also reported an increase in the number of frontline supervisors from 372 on December 31, 2015 to 379 on June 30, 2016.

Figure 13: Supervisor Workloads: Percent of Supervisors Meeting Workload Standards



Source: DHS Data

With respect to supervisors who are assigned and manage their own cases, DHS reported a positive decrease in this area as well. Child welfare cases managed by supervisors carry the same case weight as the cases managed by caseworkers and are calculated into each supervisor's workload ratio. As of June 30, 2016, 11 supervisors carried more than two cases, a positive decrease from the 21 supervisors who carried more than two cases on December 31, 2015. The Co-Neutrals again find that DHS has made good faith efforts to achieve substantial and sustained progress toward the Target Outcome for meeting supervisor workload standards.

D. Shelter Use

Throughout this report period, DHS has continued its efforts to reduce both the number of children who are placed at shelters, and the length of time these children reside in shelters. As reported in the Co-Neutrals' last Commentary, DHS successfully closed the first of its two state-operated shelters, Pauline E. Mayer (PEM), in November 2015. While DHS had planned to close the second state-operated shelter, Laura Dester (LD), by December 31, 2015, Laura Dester remains open and DHS reports continues to serve between 20 and 30 children. While new

admissions to LD ceased on October 1, 2015, in specific circumstances children are still admitted to the shelter following the required approval of DHS' Child Welfare Director. As of this writing, the most recent closing date DHS has scheduled for LD is January 2017, but this seems unlikely given that many children are still placed in the shelter.

DHS' efforts to secure placements for children placed at shelters continue to concentrate on a child-focused review process led by a team of multidisciplinary specialists from within and outside of DHS, including from foster care, TFC, legal services and developmental disabilities, among others. The multidisciplinary team remains focused on securing appropriate placements for the children still placed at LD. Beginning in February 2016, DHS expanded its efforts to work toward securing placements for children placed at Youth Service shelters throughout the state. The great majority (92 percent) of children who experienced a shelter-night during this period were placed in shelters managed by Youth Services Agencies across the state.

In addition to focusing on reducing the population of children currently placed in shelters, DHS has continued its efforts to place fewer children in shelters through the use of enhanced protocols and procedures for staff. The protocols are designed to ensure that all steps and activities necessary to secure a non-shelter placement, preferably in a family-like setting, have been completed before a child is placed in a shelter. Central to the protocols are heightened oversight and accountability of decisions to approve a child's placement in a shelter. Specifically, it requires that, for children 13 years of age and older to be placed in a shelter, both the District Director and Regional Director must agree that exhaustive efforts have been made to prevent the child's placement in a shelter. For children 12 years of age and younger to be placed in a shelter, the Permanency Planning or CPS Worker, Foster Care Worker, Supervisors, District Director, Regional Director, Specific Program Staff, and Child Welfare Director must participate in a conference call (regardless of the time of day or night) to staff the case, with final approval required by the Child Welfare Director. Through this enhanced case practice that prioritizes securing needs-based placements for children, and thereby prevents, as often as possible, children's placements in shelters, DHS has sought to shift case practice away from the unnecessary use of shelters.

During this report period, DHS reduced considerably the total number of children from all age-groups who experienced a shelter stay and shortened the length of time these children in the aggregate remained at a shelter. The Co-Neutrals find DHS made good faith efforts during this period to achieve substantial and sustained progress toward the shelter Target Outcomes.

Performance Standards

The CSA requires that DHS establish performance targets related to the placement of children in shelters. More specifically, DHS committed that it would “ensure all children are cared for in family-like settings” and “stop its use of temporary placement in shelters for all children under 13 years of age.”

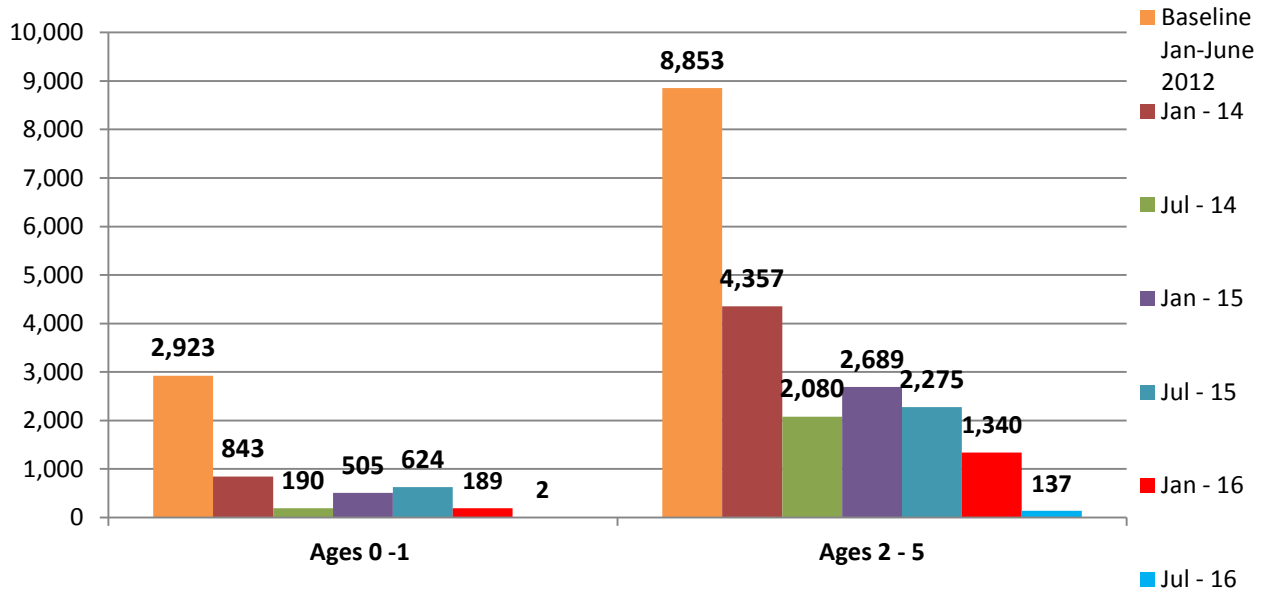
In the Metrics Plan, the Co-Neutrals selected the number of “child-nights” spent in shelters as the metric to assess Oklahoma’s progress in eliminating and reducing shelter use. One “child-night” is defined as “one child in a shelter at midnight.” The total number of child-nights is calculated by summing the number of children in shelters at midnight for each night of the reporting period. The Pinnacle Plan includes an exception for shelter placement if the child is part of a sibling set of four or more being placed together. The Co-Neutrals have also allowed for the exception to place a minor parent with their child if necessary to keep the parent and child together (note that the child must, in fact, be placed with their minor parent). However, while the Co-Neutrals approved these exceptions, they are not automatic. For each child or youth in need of placement, DHS has committed to undertake reasonable efforts to place the child in a family-like setting, regardless of whether the child meets an exception.

Performance for Children under Age Six, Shelter Metrics 5.1 and 5.2

Although DHS has not reached the Target Outcome of zero child-nights in shelters for children under age six, DHS has achieved a substantial reduction in shelter-nights in comparison to the baseline of 2,923 child-nights for children under two years of age. For the current six-month report period of January 1, 2016 to June 30, 2016, two unique children under two years of age spent a total of two child-nights in shelters. DHS reported that neither of these children met the automatic exception. This represents a substantial decrease since the last six-month report period when DHS reported 20 unique children from this age group of zero to one spent 189 child-nights in a shelter. For the months of February through June 2016, no children under two years of age spent a night in a shelter.

For children ages two to five, the original baseline recorded was 8,853 child-nights, and DHS’ most recent data shows that the number has dropped to 137 child-nights during this report period. These shelter nights represent four unique children, of whom DHS reports none met an automatic exception. In comparison to the last report period, DHS’ data shows a dramatic decline in child-nights for this age group – a reduction of 1,203 child-nights from January 2016. The data also shows the number of children ages two to five who spent a child-night in a shelter was reduced by over 90 percent – dropping from 69 children to just four children.

Figure 14: Metrics 5.1 and 5.2 – Shelter-Nights, Children Ages 0 - 5

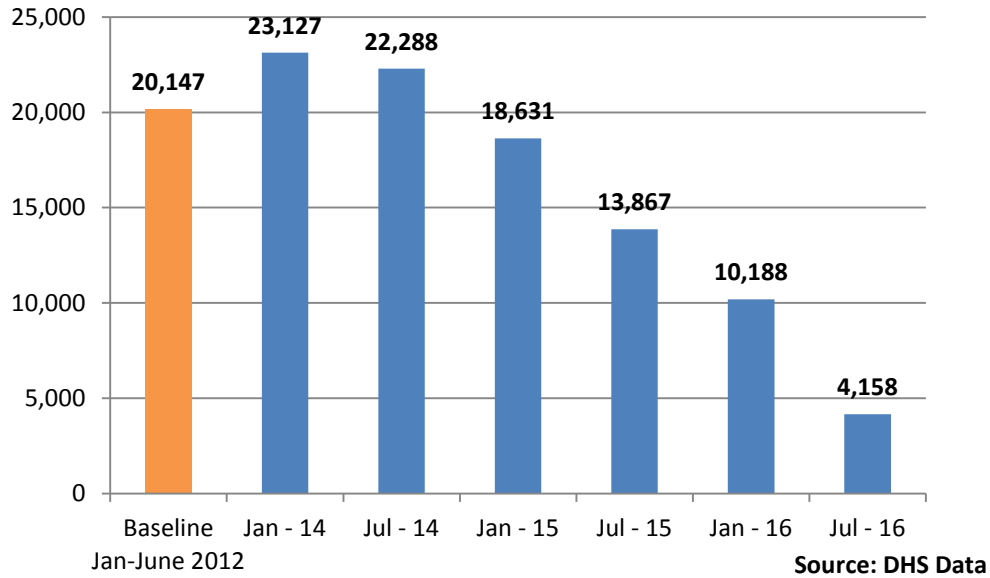


Source: DHS Data

Shelter Metric 5.3 – Children Ages Six to 12

For four straight report periods, DHS has shown substantial, positive declines in the number of child-nights in a shelter for children ages six to 12. During this report period, DHS reported 4,158 child-nights compared to 10,188 during the previous six-month period, decreasing by over half the number of child-nights children experienced this period. These shelter nights represent 112 unique children, which is 199 fewer children than DHS reported spending a night in a shelter for the last period. As shown in Figure 15 below, DHS has achieved over a 75 percent reduction in the number of shelter-nights for children ages six to 12 since the beginning of the reform.

Figure 15: Metric 5.3 – Shelter-Nights, Children Ages 6 – 12

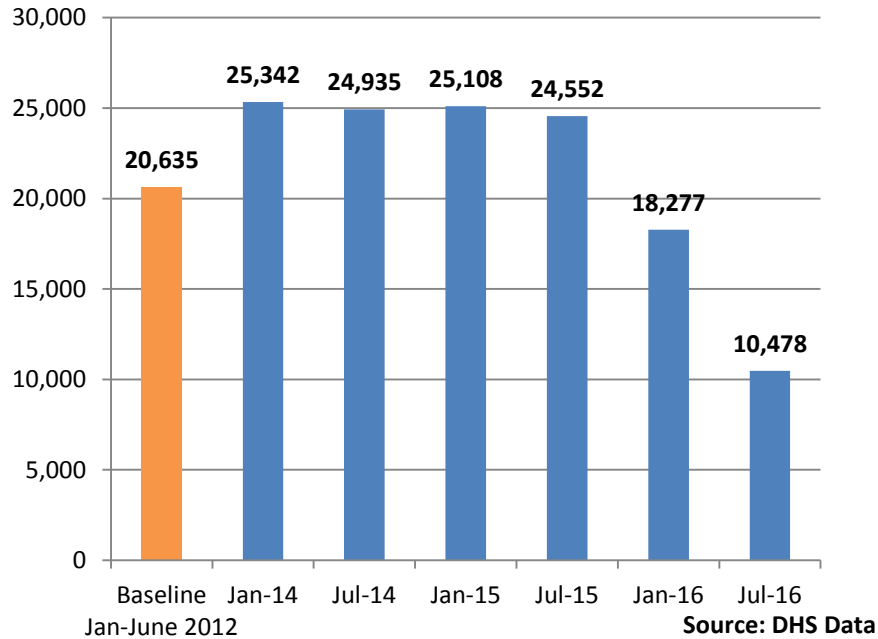


Shelter Metric 5.4 and Pinnacle Plan Commitment 1.17 – Youth 13 and Older

DHS’ Pinnacle Plan did not contemplate that shelter usage would be completely eliminated during the implementation of DHS’ reform efforts under the CSA. However, DHS did commit under the Pinnacle Plan (Point 1.17) that by June 30, 2014, children ages 13 and older would be placed in a shelter only if a family-like placement is not available to meet their needs; and further, DHS would not place any child over age 13 in a shelter more than one time within a 12-month period and for no more than 30 days in any 12-month period. DHS also committed to reduce the number of shelter nights for this older age group to no more than 8,850 child-nights by June 30, 2016.

For this report period, the number of unique children ages 13 and older who spent a night in a shelter declined significantly from 442 children in the last period to 264 children this period. For the second time, DHS reduced the number of child-nights in a shelter for children ages 13 and older to below the baseline number of 20,635. DHS reported 10,478 child-nights for this oldest group of children, which represents a substantial, positive decline of 7,799 nights from last period’s performance of 18,277 child-nights.

Figure 16: Metric 5.4 – Shelter-Nights, Children Ages 13 and Older



DHS committed that by June 30, 2016, 90 percent of all children ages 13 and older who experience a shelter stay would be in compliance with Pinnacle Plan 1.17, which requires that these older youth experience no more than one shelter stay and no more than 30 shelter-nights in any 12-month period. For the period between January 1 and June 30, 2016, DHS reports that 30.4 percent (80) of the 263¹⁵ children ages 13 and older with an overnight shelter stay were placed consistent with Pinnacle Plan 1.17, but 183 children were not. This represents an improvement from last period when DHS reported that only 26.5 percent of children were compliant with Pinnacle Plan 1.17. While DHS remains below the baseline for this performance outcome, it is important to note that the number of children ages 13 or older with a shelter stay of at least one day has positively declined by 40 percent from last report period when 441 children ages 13 and older experienced a shelter stay.

¹⁵ Due to data entry lag, the number of children 13 and older included in Metric 5.4 is 264, while the number of children 13 and older contained in Pinnacle Plan 1.17 is 263.

Table 7: Baseline and Performance, Pinnacle Plan 1.17

Performance Categories	Baseline		Current Performance	
	Jan 2014 – June 2014		Jan 2016 – June 2016	
Children Age 13+, with a shelter stay of at least 1 day	593	100.0%	263	100.0%
Shelter Placements Compliant with Pinnacle Plan 1.17				
Those with 1 stay, less than 31 days	200	33.7%	80	30.4%
Compliant TOTAL	33.7%		30.4%	
Shelter Placements Not Compliant with Pinnacle Plan 1.17				
Those with 1 stay, 31 or more days	136	22.9%	51	19.4%
Those with 2 or more stays, less than 31 days	74	12.5%	28	10.6%
Those with 2 or more stays, 31 or more days	183	30.9%	104	39.5%
Not Compliant TOTAL	66.3%		69.6%	

Reduction in Shelter Usage Across all Age-Groups

The following Table clearly shows the significant reduction in shelter usage DHS has accomplished during the entirety of this reform for children of all-ages in DHS custody. In particular, the Table highlights the 72 percent reduction in child-nights between the baseline and the current report period. The Table also displays the continued work that lies ahead of DHS to further reduce shelter usage, particularly for children six years of age and older.

Table 8: Child-Nights in Shelters by Age, January 2016-June 2016

Child-Nights in Shelters by Age	Baseline (Jan 2012 - June 2012)	Performance (Jan 2016 - June 2016)	Target	Change (n)	Change (%)
0 to 1	2,923	2	0	-2,921	-99.9%
2 to 5	8,853	137	0	-8,716	-98.5%
6 to 12	20,147	4,158	0	-15,989	-79.4%
13 & Older	20,635	10,478	8,850	-10,157	-49.2%
TOTAL	52,558	14,775	8,850	-37,783	-71.9%

Securing Needs-Based Placements for Children and Youth

Central to DHS' efforts to reduce its reliance on shelters for children in DHS custody, is the availability of a robust pool of foster homes that are willing and able to meet the specific needs of children in DHS custody. Both the Co-Neutrals and DHS recognize that a gap exists in DHS' placement system for certain populations of children, including teens and children with special medical, behavioral and/or developmental needs. For these children, there often is not a readily available placement option that meets their specific needs, and as a consequence, shelters have been used too often to fill this gap.¹⁶

As DHS has worked over the last year to reduce its use of shelters, it has been able to successfully secure appropriate needs-based placements for many of the children formerly placed in shelters, and has also worked to prevent many other children's placement into a shelter. As a consequence of these positive efforts, many of the children who remain placed in shelters are among those for whom it is most difficult to find placements to meet their specific needs. This much smaller, yet more challenging population of children still in shelters requires DHS' ongoing focused attention and efforts to establish and support the types of placements they need and deserve.

The lack of needs-based placements for certain populations of children is reflected in the continued need for the LD shelter to serve children in DHS custody. The children who are currently placed at LD have significant and sometimes multiple forms of disabilities. Despite continuous efforts by the multidisciplinary team to case conference each of these children, DHS has thus far been mostly unsuccessful at securing appropriate needs-based placements for these children. DHS reports that it remains committed to finding appropriate placements for these children and conducts weekly telephone conference calls to identify and explore options for placements for each child remaining at LD.

While DHS has made significant progress toward reducing shelter usage for children of all ages, the great majority of children who are placed in shelter care are children between the ages of 13 and 17 years old, as illustrated in the Table below. In its case conferencing of 81 of the 353 children who were placed at Youth Service shelters across the state during this six-month report period, most of whom are teenagers, DHS has been challenged to identify foster homes

¹⁶ Pursuant to the Metrics Plan, DHS committed to setting targets for foster homes and TFCs using annual assessments of placement needs based on a number of key factors, including: demographics, geography, sibling groups, age ranges, and behavioral and medical diagnoses.

willing to accept these youth. DHS reports the overwhelming majority of the children conferenced during the months of March and April 2016 either remain placed in a shelter setting or are listed as AWOL, highlighting the lack of a robust needs-based continuum of placements for children, particularly teens.

Table 9: Unique Children by Shelter, January 1, 2016 to June 30, 2016

Age Group	Total Unique Children	Shelter			% Youth Service Shelters	% Laura Dester and Pauline Mayer Shelters
		Youth Service Shelters	Laura Dester	Pauline E. Mayer		
Age 0-1	2	2	0	0	100%	0%
Age 2-5	4	4	0	0	100%	0%
Age 6-12	112	99	22	0	88%	20%
Age 13+	264	248	27	0	94%	10%
Total Children	382	353	49	0	92%	13%

Note: Children who stayed in more than one shelter category were counted for each category. Because of this, not all percentages add up to 100.

This period DHS also conducted a review of children who were case conferenced at both public shelters (PEM and LD) to understand their placement stability following their exit from a shelter. DHS reports mixed outcomes for these children toward achieving stable needs-based placements. Most of the children staffed at PEM experienced stable, family-based placements following their exit from the shelter, with a minority of children experiencing multiple placements, which contributed, in part, to six of these children aging out of care without a permanent family. In contrast, the great majority of children case conferenced at LD were unable to secure a stable, needs-based placement, but instead experienced multiple placements after their discharge from the shelter. DHS attributes the disparity in outcomes between children in the two public shelters to the differences between the populations of children at each shelter.

In order for DHS to continue its progress toward reducing the number of children who use shelter care, it must focus its efforts on building a robust continuum of placements (foster homes, TFC homes and higher level care) to ensure all children in DHS custody, particularly teens, and children with medical, behavioral, or intellectual challenges, have timely access to stable, needs-based placements.

Strengthening Care of Children in Shelters

While DHS is committed to reducing the total number of children who experience a shelter stay, DHS understands that for those children who are placed in shelters throughout the state, DHS must ensure that these children's medical, mental and behavioral needs are met during their stay at a shelter, in addition to supporting their overall well-being.

Due to the significant needs of the children currently placed at the LD shelter, DHS reported it has increased supports and resources at the shelter to better respond to their heightened needs. During this period, a Program Field Representative (PFR) from Developmental Disabilities Services (DDS) was stationed at LD to assist with placement and service activities for children living at the shelter who are receiving DDS services. DHS also increased the number of staff at the shelter who care for children and assigned a liaison from its Specialized Placements and Partnerships Unit (SPPU) to the facility to address any possible safety concerns.

To enhance the capacity of shelter staff at Youth Service shelters to effectively care for the children living in these shelters, DHS, in partnership with the Office of Juvenile Affairs (OJA), developed four training modules that focus on the key skills shelter staff must possess to meet the needs of the children they care for at the shelter. The trainings address, among other topics, cultural competency, medical issues such as psychotropic medication administration and working with children with developmental or intellectual disabilities.

These steps taken by DHS to improve the quality of care provided to children residing in shelters are important, particularly given that shelters in Oklahoma are increasingly reserved for the most hard to place children. DHS will need to continue its work to ensure that shelters are sufficiently staffed with workers equipped to effectively and safely care for these children until a more appropriate placement can be secured for them.

E. Child Maltreatment in Care

DHS has reduced the incidence of child abuse and neglect by parents of children in custody, but has struggled to achieve substantial and sustained reductions in the rate of maltreatment of children (MIC) in care by a resource caregiver. In the last year, DHS made considerable progress in approaching reasonable workloads for overburdened staff and developing a larger continuum of foster homes. If sustained, these positive developments will support increased safety for children in DHS custody in the years ahead. Though substantial and sustained progress in these foundational areas is still in its early stages, the gains to date are real. They

resulted from focused management, ongoing use of available DHS data and information, and continuous monitoring and adjustment when challenges surfaced, as described in other sections of this report.

Throughout the report period, DHS made concerted efforts toward the goal of reducing abuse and neglect for children in institutional settings. This level of focused attention was not as evident with respect to reducing MIC among children in foster homes, where the majority of substantiated maltreatment occurs and the majority of children in custody are placed. In fact, as described below, DHS' implementation of certain core strategies proposed by the agency to reduce the prevalence of abuse and neglect among children in foster homes was wanting. As it became clear in late 2015 and early 2016 that the rate of child maltreatment remained unacceptably high, the Co-Neutrals completed a case record review in May 2016 and identified many of the same areas of concern and risk that surfaced one year earlier in a previous case record review. In the aftermath, DHS developed a set of immediate-term strategies at the end of the period to enhance child safety. These include commitments to review DHS' available data on child abuse and neglect referrals and foster home overfills in order to identify the homes that appear to most need additional support or present a safety risk. DHS' implementation of these commitments will inform the Co-Neutrals' future evaluations whether the agency is making good faith efforts to achieve substantial and sustained progress toward the child safety Target Outcome.

For this report, DHS' performance data for MIC by a resource caregiver (Metric 1a), which covers the period of April 1, 2015 to March 31, 2016, remains far below the Target Outcome, and below DHS' starting baseline, showing no substantial or sustained improvement since the beginning of the reform.

DHS committed in August 2015 to implement a set of core strategies to improve the safety of children in the state's custody, applying activities designed separately to improve the safety of children in foster homes and in institutional settings. DHS' MIC core strategies were developed based on comprehensive case record reviews separately undertaken in 2015 by the Co-Neutrals and DHS on all substantiated MIC referrals from October 2013 to September 2014 (FFY14). DHS and the Co-Neutrals identified similar concerns regarding child safety in foster homes, including: missed opportunities to identify risks during caseworker monthly visits; foster homes with extensive referral histories; approval of foster homes with concerning child welfare or criminal histories; and, overfilled foster homes with too many children.

Those reviews sparked new efforts by DHS to keep children safe, including substantially fortified efforts to improve safety for children in institutional settings. Those institution-based

efforts during the period were focused and proactive. However, Metric 1a applies to MIC by caregivers in all settings, not just institutions. Most of the children abused and neglected by a resource caregiver, in fact, are maltreated in foster homes. DHS' efforts to enhance safety in foster homes, described in more detail below, were not sufficiently focused and proactive during the period to yet warrant a finding of good faith. DHS' implementation of all its MIC core strategies will inform the Co-Neutrals' future evaluations whether the agency is making good faith efforts to achieve substantial and sustained progress toward the child safety Target Outcome.

Child Safety: Abuse and Neglect by Resource Caregivers While Child is in the Legal Custody of DHS, Metric 1a

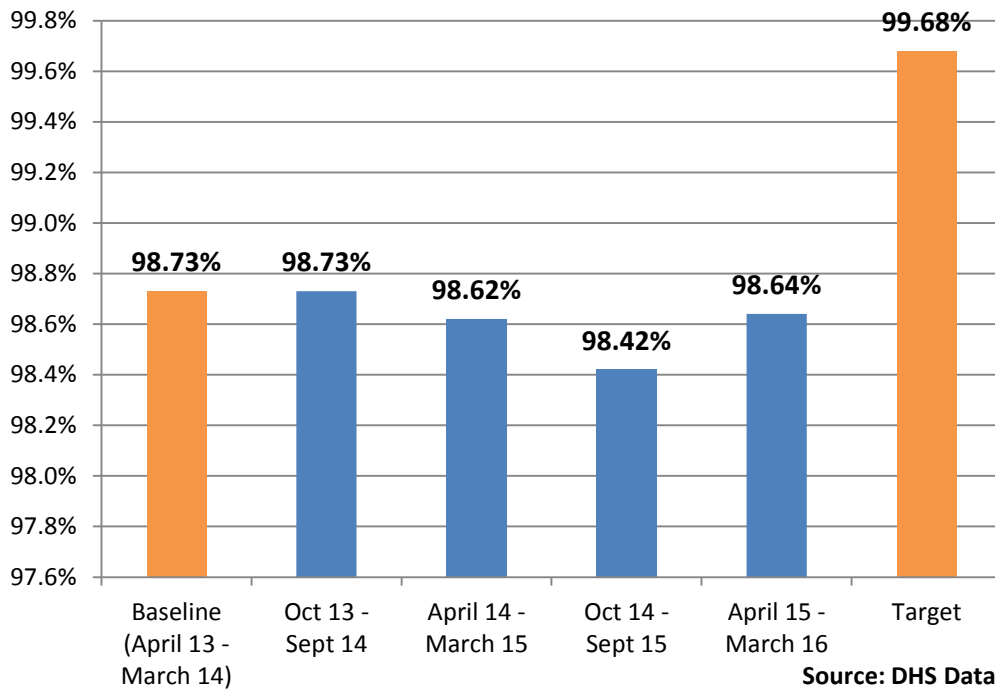
DHS and the Co-Neutrals agreed DHS would review safety for children in care using two indicators. First, DHS tracks and reports publicly the number of children abused or neglected by a resource caregiver on a monthly basis. Second, DHS and the Co-Neutrals adopted the federal metric applicable at the time (though it has since been revised by the federal government in 2015), "Absence of Child Abuse and/or Neglect in Foster Care," which represents the percent of all children in foster care during a 12-month period who were not victims of substantiated maltreatment by a foster parent or facility staff.¹⁷

For this metric's report period, which covers the 12-month period of April 1, 2015 to March 31, 2016, DHS reported that 225 children out of 16,548 in DHS custody were victims of child maltreatment. This represents a rate of 98.64 percent of children in DHS custody during the period who were not victims of child maltreatment. For DHS to have met the Target Outcome of 99.68 percent children safe in custody, DHS would have had to keep an additional 173 children safe from abuse and neglect by a resource caregiver.

As shown in the Figure below, during the baseline period, April 2013 to March 2014, DHS reported 98.73 percent of children in DHS custody were not victims of child maltreatment and reported the same outcome of 98.73 percent during the following report period from October 2013 to September 2014. In the subsequent two report periods, DHS' performance worsened, placing it for both periods below the baseline data. For this period, DHS' performance shows some improvement but remains below the baseline for the third consecutive period.

¹⁷ In October 2014, the federal Children's Bureau changed the metric it uses to assess state child welfare efforts to reduce maltreatment in care. The new federal metric combines maltreatment in care by resource caregivers and by parents, with some additional adjustments to the methodology. For consistency and comparability, the Co-Neutrals will continue to use the two metrics listed here in their reporting.

Figure 17: Metric 1a – Absence of Maltreatment in Care by Resource Caregivers



In addition to reporting performance on this metric semi-annually, DHS publicly reports substantiations of child maltreatment in their monthly data. Over the same 12-month period, April 1, 2015 to March 31, 2016, DHS reported 292 substantiations of child abuse and neglect by a resource caregiver. Of these, 69 substantiations are not included in the federal metric adopted by the Co-Neutrals as Metric 1a for three reasons: (1) 65 cases of child abuse or neglect were excluded because, according to the federal methodology in place at the time the Metrics Plan was finalized, both the referral date (date when an allegation is made to DHS) and findings date (date when the case is substantiated by DHS) must exist in the same 12 month reporting period; (2) three cases were not counted in the metric because they represent multiple substantiations for the same child; and (3) one case was excluded because the child was not in custody at the time of referral.¹⁸ Of the 292 substantiations of maltreatment reported in the monthly data, 224 substantiations (77%) are for children in foster care, while 68 substantiations (23%) are for children in facilities or higher-level institutions.

Core Strategies to Reduce MIC in Family-Based Placements

In the area of foster homes, DHS’ 2015 core strategies focus on strengthening its policy, practice and formal Instructions to Staff (ITS) to increase oversight, monitoring, and support of

¹⁸ Two additional substantiations were not included in the monthly data because the perpetrator was unknown. These two substantiations were included in DHS’ federal reporting.

foster families, as well as to conduct more detailed assessments of a child's safety when placed in foster, kinship or TFC homes.

These strategies were designed by DHS to address the primary areas of concern identified in the Co-Neutrals' record review of all referrals substantiated for MIC in foster homes in Federal Fiscal Year (FFY) 2014. These concerns included caseworkers not identifying or addressing risk conditions that could have been observed during monthly visits; extensive records of previous calls to DHS' Child Abuse and Neglect Hotline (CANH) regarding foster homes that had been screened out, ruled out, or unsubstantiated for the same or similar abuse/neglect allegations or that revealed patterns of concerning conditions; foster homes that had concerning child welfare or criminal histories that raised questions about the approval process for the homes; and, stressors and lack of support experienced when foster homes were overfilled with too many children or had multiple placements that included special needs children.

To assess the quality of DHS' efforts to achieve substantial and sustained progress toward the child safety Target Outcome, the Co-Neutrals undertook another comprehensive, case record review of 60 child maltreatment referrals (substantiated and unsubstantiated) in foster homes from March thru May 2016. (See Appendix B and C for summaries of these case record reviews.) In addition, the Co-Neutrals analyzed reporting materials submitted by DHS to the Co-Neutrals during and following the report period. Through this second case record review, the Co-Neutrals identified the same issues of concern that surfaced one year earlier. Along with the Co-Neutrals, DHS conducted a second review of a more limited set of foster home referrals substantiated for maltreatment and also found the same concerns.

Foster Homes with Concerning Referral Histories

In response to concerns regarding foster homes with prior child abuse and neglect referral histories, DHS committed to undertake heightened, joint reviews by the assigned permanency and foster care workers and their supervisors of all referrals received on children in foster homes, regardless of DHS' decision to accept a referral for investigation. For referrals that have been accepted for investigation, a form of this joint review, known as the 10-day staffing conference, was already an established DHS practice to determine if the children placed in the investigated home should be moved, if the home should be closed, or if additional services are needed in the home. DHS updated KIDS to include a standardized guide to document this 10-day review.

The requirement for this joint review represents a change primarily for foster home referrals that have been screened-out. This strategy is a response to findings in the Co-Neutrals' 2015 MIC case record review that a significant number of homes substantiated for child

maltreatment were previously the subject of a screened-out MIC referral. The findings of the 2016 MIC case record review reinforced the ongoing need for this strategy.

DHS sent detailed instructions to all child welfare staff regarding the new required joint review protocol on February 29, 2016.¹⁹ (See Appendix D.) In June 2016, DHS informed the Co-Neutrals that foster care caseworkers were initiating the joint reviews on screened-out referrals but that the process was still new. DHS' implementation of this commitment will inform the Co-Neutrals' future evaluations whether the agency is making good faith efforts to achieve substantial and sustained progress toward the child safety Target Outcome.

Quality of Caseworker Visits

In response to concerns about missed opportunities to identify and address safety risks during caseworker visits to foster homes, DHS committed to enhance the contact guide caseworkers complete during monthly visits with a child. DHS expanded the guide to include an assessment of the child's safety and a confirmation that the child was interviewed separately from the caregiver. The Co-Neutrals verified in discussions with staff across the state that permanency caseworkers are aware that enhancing safety reviews during their monthly visits with children is a DHS priority.

Through the 2016 MIC case record review, which included a review of caseworkers' use of the contact guide, the Co-Neutrals confirmed that caseworkers are documenting areas of safety, such as the form of discipline used in the home. Other concerns elevated in the Co-Neutrals' case record review but not specifically delineated in the DHS contact guide appear to go unobserved at times.²⁰ DHS, asserting that heightened monitoring of foster homes is a core strategy toward enhanced child safety, committed to increase contact by foster care workers with the caregivers in the homes they serve. DHS pledged that foster care workers will be required to have monthly, as opposed to quarterly, contact with homes, with at least one contact each quarter taking place in the foster home. DHS is currently working on a guide that foster care workers will use before and during their visits to assess child safety in the home. DHS' implementation of these commitments will inform the Co-Neutrals' future evaluations whether the agency is making good faith efforts to achieve substantial and sustained progress

¹⁹ In September 2015, DHS sent general instructions on the new joint review process to all child welfare staff. However, these instructions were made available to staff under a memorandum that focused only on changes related to a new centralized background check process. (See Appendix E.) DHS realized in February 2016 that the September communication, as well as some local training conducted, did not provide clear or sufficient guidance to staff on the new joint review process.

²⁰ For example, there is evidence that DHS caseworkers are not routinely addressing the appearance of unapproved individuals living or frequenting a home, even when they may present a risk to children in custody.

toward the child safety Target Outcome.

Background Checks and Foster Home Approvals

Both of the Co-Neutrals' case record reviews revealed concerns regarding the approval of homes with questionable child welfare and/or criminal histories. In some instances, DHS uncovered criminal records of foster parents during maltreatment investigations, raising questions about the integrity of the background check process. In other instances, the suitability of foster parents came into question due to histories of drug and/or alcohol abuse, domestic violence and/or anger management problems.

As a core strategy, DHS decided in 2015 to develop a statewide, centralized process through its Office of Background Investigations (OBI) to review all background information (child welfare, criminal and other public documents) for all foster home approvals. The intent was to ensure that all families applying to be foster parents are thoroughly and consistently vetted for any potential areas of concern. DHS piloted the centralized background check system in one county, but reports it resulted in some inefficiencies and logistical challenges in the field. As a result, DHS decided to proceed with a centralized review of all criminal background checks through OBI while continuing to have child welfare staff review and assess a home's child welfare history. In addition to ensuring that all pertinent information is obtained about each applicant, DHS must ensure that those individuals assigned to assess and approve a family's capacity to safely care for children review and consider this information. DHS' implementation of these commitments will inform the Co-Neutrals' future evaluations whether the agency is making good faith efforts to achieve substantial and sustained progress toward the child safety Target Outcome.

Overfilled Foster Homes

Overfilled homes can place additional stressors on foster parents and children, which can lead to instability in the home, particularly when children with special needs are placed in the same home. To address this area of concern identified in both of the case record reviews, DHS committed to strengthen the process to approve placement of children in foster homes that are already at maximum capacity. Maximum capacity for foster homes, in general, is defined as a family providing care for five children in DHS custody or more than six children in total, or two children younger than two years of age. Because of the significant number of overfilled homes represented among the MIC cases, the Co-Neutrals encouraged, then urged, DHS on numerous occasions to implement a heightened review of requests to overfill a home beyond its individualized, approved capacity, not just above the state's maximum capacity. DHS' implementation of this commitment will inform the Co-Neutrals' future evaluations whether

the agency is making good faith efforts to achieve substantial and sustained progress toward the child safety Target Outcome.

Quality of Hotline Referral Reviews

The Co-Neutrals' MIC case record reviews in 2015 and 2016 identified that over 30 percent of homes substantiated for MIC had significant abuse and neglect referral histories, indicating that DHS had information that, if reviewed and acted upon through enhanced monitoring, could have triggered DHS to intervene sooner and potentially prevent some of the maltreatment that occurred. A review of these homes with concerning referral histories showed that some referrals had been screened-out by the DHS Hotline, despite the allegations in the referral appearing to meet the definition of abuse and/or neglect or presenting similar allegations to those eventually substantiated. In DHS' *Hotline Review*, conducted by its Quality Assurance team in 2015, DHS identified concerns with the Hotline's capacity to gather essential information from callers, conduct a thorough review of prior CPS history on a home, including open or closed investigations/assessments or cases, and assign the correct disposition to the referral. In particular, the DHS *Hotline Review* identified that for 68 percent of referrals (N=768), which were either accepted for investigation or screened out, the referral was not assigned the appropriate disposition by Hotline screening staff.

In response to its findings in the *Hotline Review*, DHS developed a Hotline Performance Improvement Plan, which focuses primarily on training and guiding staff based on lessons learned from supervisors listening to, and reviewing, Hotline calls, and tracking patterns of disputed referrals. At the Co-Neutrals' request, DHS amended its Hotline Performance Improvement Plan in December 2015 and committed to have its Quality Assurance (QA) staff complete a qualitative review of screened-out referrals for a period of 90 days. The findings of the review were to inform the development of a plan to address any identified deficiencies. In its July 2016 Bi-Monthly Update to the Co-Neutrals, DHS reported that its QA staff is not undertaking this formal review at this time.

DHS reported that Hotline supervisors are performing a back-up review of all out-of-home referrals that are screened-out to verify if the referrals are assigned the correct disposition. While this duplicate review may help ensure that the best decision is made regarding out of home referrals, it is still unclear if the initial concerns identified through DHS' *Hotline Review* have been resolved. In light of the ongoing concerns regarding the referral histories (including screen outs) of homes that are substantiated for maltreatment, the Co-Neutrals expect DHS to perform this formalized quality assurance review or propose to the Co-Neutrals as quickly as possible an alternative strategy to assess the capacity of its Hotline to sufficiently gather appropriate information from reporters and properly evaluate this information to determine

the correct disposition of each referral. DHS' undertaking of this work will inform the Co-Neutrals' future evaluations whether the agency is making good faith efforts to achieve substantial and sustained progress toward the child safety Target Outcome.

Field Manager Report

In order to track potential concerns or stresses within individual foster homes, DHS began during this report period to use a monthly field manager report that records in one datasheet all foster homes with open written plans of compliance (WPC) and/or referral histories.²¹ This and another report detailing overfilled homes are shared monthly with foster care field managers so they can regularly review this information and identify concerning homes that may require immediate attention. DHS reported mixed reviews regarding the accuracy of data contained in field manager reports.²² As data quality improves, the Co-Neutrals believe the report can be useful, even when analyzed in the most basic form to identify those homes with the highest number of referrals. For example, one foster home that the Co-Neutrals examined in a review of unsubstantiated referrals presented multiple concerns and risks for foster children. That home also surfaced on the field manager report as having, among all open foster homes statewide, the highest number of abuse and neglect referrals (23), including a number of screened out referrals. DHS has since closed this home.

Ultimately, the field manager report will prove useful to address potential safety concerns in foster homes if it is consistently reviewed by staff who then take follow-up steps to assess and address conditions in those homes that appear to present potential safety risks. DHS' implementation of this commitment will inform the Co-Neutrals' future evaluations whether the agency is making good faith efforts to achieve substantial and sustained progress toward the child safety Target Outcome.

Lastly, to streamline efforts to identify and monitor homes at increased risk of MIC, DHS is developing a technical enhancement in its KIDS data system to capture in a MIC dashboard 12 months of data related to the current number of open homes, open WPC's, open referrals, and overfills. DHS reports that the dashboard will have information for the entire state, but will enable users to filter and sort data by region, district, supervisor, and worker to inform both state and local analyses. DHS reports that the MIC dashboard will be released during 2017.

²¹ When a foster home violates a policy or rule and their actions require remediation for continued use of the home, a written plan of compliance is initiated to control the safety of, and placement stability for, any child in DHS custody placed in the home.

²² Some of the information contained in the report is provided by supervisors rather than extracted from the KIDS database, raising concerns about the accuracy of the data.

Enhanced, More Focused Application of MIC Core Strategies in Foster Homes

In response to the findings of the 2016 MIC case record review, DHS submitted at the end of June 2016, and the Co-Neutrals approved in July 2016, the following short-term MIC core strategies for foster homes that target specific, recurring gaps:

1. DHS will review kinship and foster homes that have the highest number of referrals, whether screened out or accepted, to identify and address any safety concerns or needs of the family or children in placement;
2. DHS will review safety concerns, risk factors, and possible needs of all kinship and foster homes that have more children in placement than permitted;
3. DHS will increase the quality of ongoing safety assessments in worker visits; and,
4. DHS will review its data to determine if they need to strengthen supervisory reviews of foster home approvals and home studies, as well as foster home reassessments.

These strategies and the activities established to support them do not represent new approaches to address the ongoing areas of concern that contribute to MIC, but instead represent an acknowledgment by DHS leadership that a much more intensified and urgent application of its core strategies, guided by DHS' own available data about where the greatest risks exist in foster homes, must be implemented immediately. (See Appendix F for short-term strategies.) DHS must fully implement its short-term strategies to enhance child safety, and demonstrate that its efforts, through existing and new strategies, adequately mitigate the specific areas of risk identified in the 2016 case record review. In the next Commentary, the Co-Neutrals will report on DHS' efforts to implement its specific strategies designed to achieve substantial and sustained progress in Metric 1a. This is DHS' highest order of work - keeping safe children in custody.

Core Strategies to Reduce MIC in Facilities

During the Fall of 2015, DHS began implementing a series of commitments that aimed to expand and strengthen oversight, monitoring, and engagement with higher level institutions to reduce maltreatment of children and youth living in institutional settings. These commitments also seek to improve facility staff's capacity, through staff trainings of Managing Aggressive Behavior (MAB), to prevent and de-escalate behavioral challenges presented by children and youth. Lastly, these commitments seek to strengthen monthly visits by Permanency and Specialized Placements and Partnerships Unit (SPPU) workers with children residing in facilities in order to effectively and thoroughly assess a child's safety while placed in a facility.

To evaluate DHS' progress in fully implementing its MIC core strategies in facilities, the Co-Neutrals reviewed all 11 abuse and neglect referrals in higher level institutions that were

substantiated between the months of March and June 2016, as well as a representative sample of 11 referrals that were unsubstantiated between March and May 2016. The Co-Neutrals' reviews identified that DHS has made focused and strong efforts to implement these core strategies. From this foundation of intensified focus on child safety in institutional settings, DHS must continue to strengthen and refine its engagement with facilities to ensure the safety of children placed in these higher levels of care.

Under the core strategies, DHS designed a comprehensive protocol that strengthened the action steps DHS and facilities must take during and following an investigation of maltreatment. The new protocol established a series of deadline-driven actions to ensure facilities are satisfactorily correcting and addressing areas of concern identified during the investigation to help prevent future incidents of child abuse or neglect. The Co-Neutrals' review found that DHS has implemented its protocol to develop, implement and monitor facilities' implementation of corrective actions to ensure safety. In particular, the Co-Neutrals' review highlighted a significant shift in the work of SPPU staff to engage facilities to timely address and resolve any concerns or issues at a facility that may impact a child's safety. DHS has substantially augmented its institutional oversight, ensuring that SPPU workers have taken a central role to ensure that corrective actions reflect all areas of concern identified during an investigation. This represents a significant practice change from earlier years when facilities were allowed to determine the corrective actions they would undertake. The enhanced engagement by SPPU workers fosters accountability by facilities' management to address deficiencies, as well as more consistent communication and greater collaboration between DHS and the higher level institutions where children reside.

The Co-Neutrals' review also identified areas where case practice around the comprehensive protocol should continue to be strengthened. For example, the review identified incidents where a Facility Action Step (FAS) was necessary to document the need to address areas of risk identified during the investigation with respect to an agency's broader culture, operations, services or contract compliance. However, the records at times did not indicate that a FAS was established, or if DHS did establish a FAS, the FAS did not appear to address the identified concern sufficiently. The review also found occasions when Corrective Action Plans (CAP) were appropriately initiated and monitored following an investigation – itself a major improvement from prior periods.²³

²³Under DHS' comprehensive protocol, DHS confirmed that corrective action plans would be established to document and track all steps, actions or strategies a facility must undertake to correct or address behaviors or conditions associated with an individual employee related to abuse/neglect or area of concern. To address behaviors or conditions that exist within a facility's (or the overseeing agency's) broader culture, services, contract

As part of DHS' core strategies, DHS committed in 2015 to augment monitoring of institutions with the highest number of MIC substantiations. This includes, among other activities, quarterly audits with facility leadership to review agency data and performance; bi-weekly heightened monitoring meetings within DHS to track safety and progress on risk mitigation; and a formal accountability process when improvements are not implemented by established deadlines. Those facilities are selected quarterly as DHS reviews the most recent maltreatment data to identify institutions with the highest number of MIC substantiations for the period.

Each of the identified facilities is invited to participate in a program assessment and required to develop an action plan to address concerns, which is reviewed and updated monthly by DHS. Despite DHS' ongoing engagement efforts, three facilities (none of them group homes) have declined to participate in program assessments. DHS has also committed to seek the support of OHCA to engage these facilities. One facility subject to heightened monitoring because of serious safety concerns for children did not improve safeguards for children despite DHS' consistent oversight and engagement with the facility staff and management. Ultimately, during this report period, the facility's contract with DHS terminated.

The Co-Neutrals, as part of the 2016 review of substantiated and unsubstantiated MIC investigations, examined the records of three facilities that were subject to heightened monitoring by DHS. As required, each of these facilities was subject to an active Facility Services Plan (FSP), which is a comprehensive rolling document created and maintained by SPPU facility liaisons. The FSP documents, tracks and monitors a facility's referral history and all risk concerns. The Co-Neutrals observed that on the FSP for each facility, the SPPU worker recorded their observations from weekly visits to the facility, and made note of any issues that needed to be addressed. The documentation reflected SPPU workers' familiarity and knowledge of the distinct challenges and strengths of each facility, its staff, and residents.

DHS reported that the required, quarterly, heightened monitoring meetings of key stakeholders were not yet occurring consistently at each facility. These quarterly meetings are important opportunities to jointly review and monitor facility progress to ensure all areas of concerns are promptly addressed and resolved. DHS reports it is working to ensure these meetings occur quarterly going forward. DHS' implementation of this commitment will inform the Co-Neutrals' future evaluations whether the agency is making good faith efforts to achieve substantial and sustained progress toward the child safety Target Outcome.

During the Co-Neutrals' review, serious concerns emerged for DHS and the Co-Neutrals

compliance, etc., a Facility Action Step is established and tracked to document all corrective steps, actions or strategies a facility must undertake.

regarding certain facility personnel decisions. Three facility staff members who were confirmed or alleged perpetrators in MIC referrals had prior substantiations of abuse and neglect but continued to care for and supervise children. Additionally, the Co-Neutrals identified two other facility staff whose professional records raised concerns about their capacity to safely care for children. For example, one facility staff member had been terminated from a group home for failing to follow facility policy, yet was hired by another group home.

DHS' policy subjects its foster homes to considerable due diligence as part of the licensing process but current law and policy permit institutional staff to care for children without anything nearly as robust, allowing facility staff to work with children even when they have been previously subject to a child abuse and neglect substantiation. **This is inconsistent with the child safety Target Outcome, and needlessly puts Oklahoma's children at risk for abuse and neglect. The Co-Neutrals expect DHS to make good faith efforts to propose and/or implement changes that will prevent individuals who have been substantiated for maltreatment from providing care and service to children in DHS custody residing in institutional settings. DHS has begun to explore its legal, administrative and contractual authorities to implement the necessary changes, as well as any additional authorities that may be required through legislation to secure the safeguards necessary for child safety and protection.**

Since the population of children and youth who reside in institutions can present significant behavioral health needs, facilities must be sufficiently equipped with the tools, training and staffing levels needed to responsibly and safely care for these children. Half of the 22 referrals reviewed by the Co-Neutrals involved facility staff performing unnecessary and/or improper restraints on children, and, in some cases, failing to prevent or de-escalate a child's behaviors before performing the restraint. In some referrals, the actions of facility staff escalated the encounter because of staff's use of inappropriate or forceful language or actions. Through its updated group home contracts, DHS has mandated that all staff in level B through E group homes undergo training by January 2017 to implement the positive behavior management model Managing Aggressive Behavior (MAB). As of August 2016, DHS reports 74 percent of direct care staff at facilities have been MAB certified. Given that implementation of this new model is still in its early stages, DHS has not yet performed a standardized assessment to measure its effectiveness to reduce the number of unnecessary and/or improper restraints.

DHS delayed implementation of two core strategy commitments. The first commitment involves the statewide application of a standard interview guide that will be used by permanency workers during their monthly visits with children who reside in institutional settings to thoroughly assess child safety. DHS committed to the implementation of the standard interview guide by October 15, 2015. DHS reported that effective October 1, 2016, the interview guide was in use by all workers completing visits with youth in residential

settings. DHS has also committed to develop provider report cards which include multiple performance measures to assess facility performance, particularly emphasizing policy violations and the use of restraints. DHS now reports that the first quarterly provider report cards will be available May 1, 2017.

While DHS has not yet fully implemented its core strategies to reduce maltreatment in care in facilities, as noted above, DHS has proactively worked to reduce maltreatment in facilities through enhanced monitoring, oversight and enforcement. In contrast, during this period, DHS did not make good faith efforts to reduce maltreatment in foster homes with an appropriate level of focus and urgency. DHS must implement the commitments and strategies discussed in this section and enhance child safety in both institutional settings and, in particular, foster homes. With respect to those strategies DHS did not implement during the reporting period and those newly developed after the period ended, particularly for foster homes, DHS must move swiftly to marshal the necessary resources and focus to make substantial and sustained progress toward Target Outcome 1a.

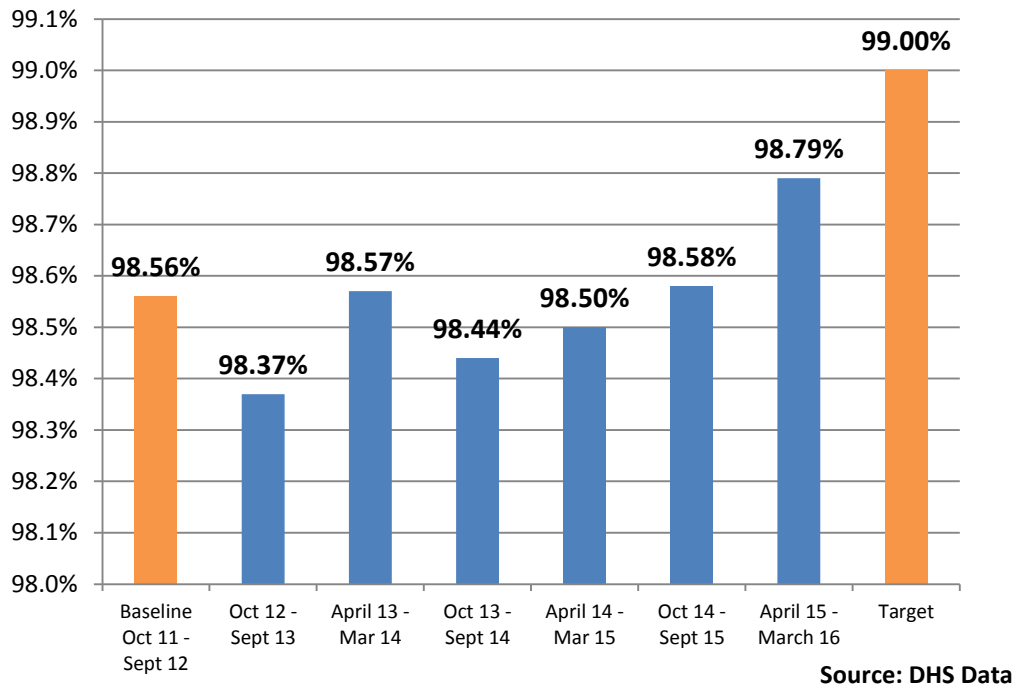
Child Safety: Abuse and Neglect by Parents While Child is in the Legal Custody of DHS, Metric 1b

The Co-Neutrals adapted the methodology utilized in the preceding section, Abuse and Neglect by Resource Caregivers, to measure abuse and neglect by parents while a child is in the legal custody of DHS. This includes the significant population of children who remain the legal responsibility of DHS but who reside in, or have been placed back in, their homes of origin for trial home visits. In Oklahoma, children can experience trial home visits for months, and DHS recognizes the importance of closely monitoring their safety.

This metric for “Abuse and Neglect by Parents While Child is in the Legal Custody of DHS,” measures performance this way: Of all children in the legal custody of DHS during the reporting period, the number and percent of children who were not victims of substantiated or indicated maltreatment by a parent and the number of children who were victims over the 12-month period.

For this report period, April 1, 2015 to March 31, 2016, DHS served 16,548 children in custody, 200 of whom had parents who abused or neglected them while the children were in DHS custody, yielding a performance rate of 98.79 percent against a target of 99 percent. For DHS to have reached the Target Outcome during this period, the agency would have had to prevent maltreatment for an additional 35 children. DHS improved its performance this period compared to the previous 12-month report period, October 2014 through September 2015, where 238 children were maltreated by their parents while in DHS’ custody. This represented a performance rate of 98.58 percent.

Figure 18: Metric 1b – Absence of Maltreatment in Care by Parents



In DHS’ monthly-reported data for this 12-month period, DHS shows an additional 57 substantiations of maltreatment of children by their parents while in DHS custody. These 57 substantiations are not included among the 200 children reported in the measure because of the same federal exceptions applicable in Metric 1a: 52 are excluded because the referral date (date when an allegation is made to DHS) and findings date (date when the case is substantiated) do not exist in the same 12-month reporting period or due to multiple substantiations on the same child; and, 5 are excluded due to multiple removals during the reporting period.

This is the third consecutive period DHS has increased the percent of children in custody who remained safe from abuse and/or neglect by their parents. With continued effort and focus to make progress on this metric, DHS should be able to achieve further gains toward the Target Outcome. For this report period, the Co-Neutrals find that DHS has made good faith efforts to achieve substantial and sustained progress toward the MIC by parent Target Outcome.

F. Caseworker Visitation

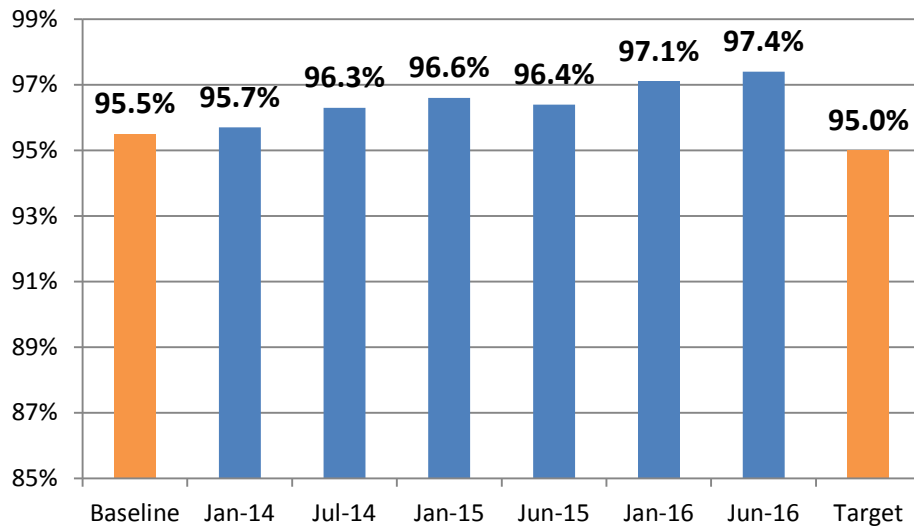
DHS leadership understands that quality visits by the same caseworker with the same child is fundamental to achieve stable placements and timely permanency for children, provide opportunities to assess and address children's safety and well-being, and support foster parents in their care of foster children. The CSA includes two performance areas related to caseworker visits: the frequency of caseworker visits, which is defined as the number of required monthly visits completed with children in care; and, the continuity of visits by the same caseworker. For frequency of visits, the Metrics Plan establishes that DHS will report the following:

3.1: The percentage of the total minimum number of required monthly face-to-face contacts that took place during the reporting period between caseworkers and children in foster care for at least one calendar month during the reporting period.

3.2: The percentage of the total minimum number of required monthly face-to-face contacts that took place during the reporting period between primary caseworkers and children in foster care for at least one calendar month during the reporting period.

Regarding Metric 3.1, DHS reported that caseworkers made 117,879 (97.4 percent) out of 120,998 required visits with children during the reporting period of July 1, 2015 to June 30, 2016. DHS started strong with an original baseline performance of 95.5 percent of all required visits made. DHS has consistently shown in every report period performance that exceeds the Target Outcome of 95 percent for this metric. DHS' performance this period surpassed all previous report periods and the Target Outcome.

Figure 19: Metric 3.1 – Frequency of Visits by All Workers

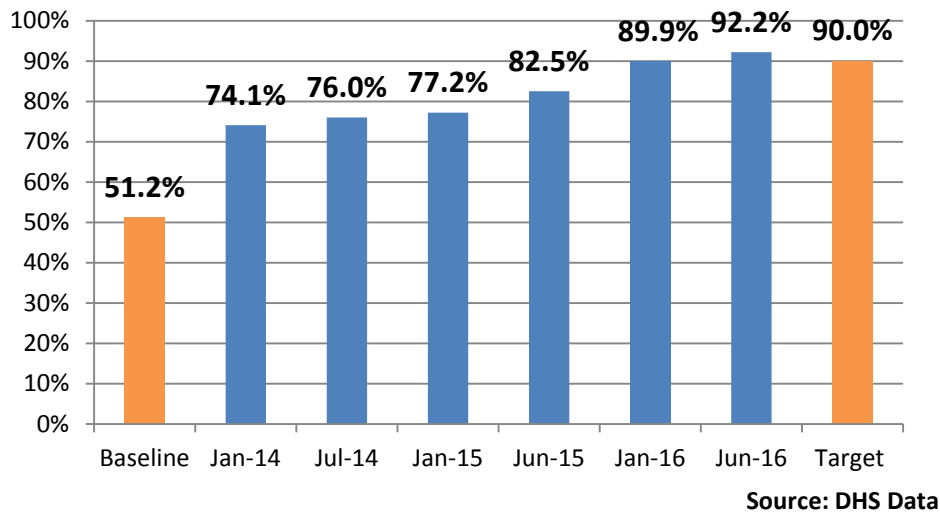


Source: DHS Data

DHS' continued, strong performance on Metric 3.1 demonstrates DHS' commitment to regular monthly visits between children and a caseworker. As noted in previous Co-Neutral Commentaries, caseworker visits continue to be a strength of Oklahoma's child welfare system. The Co-Neutrals conclude that DHS has made good faith efforts to achieve substantial and sustained progress with the Target Outcome for Metric 3.1.

The second indicator, Metric 3.2, measures monthly required visits made by primary caseworkers only. To improve casework practice, DHS committed to end the use of secondary workers across the state by January 2014. The Co-Neutrals approved DHS' request to stagger implementation of this commitment until January 1, 2015. During the current report period (July 2015 through June 2016), DHS reported that primary workers made 107,763 (92.2 percent) of the 116,834 required monthly visits with children in DHS custody. For monthly visits conducted by primary workers only, the baseline for DHS' performance was 51.2 percent and the interim target due by the end of FFY2015 was 80 percent, which DHS exceeded. The final target of 90 percent for this metric was due at the end of this period, June 30, 2016. DHS successfully met and even surpassed the final target for Metric 3.2.

Figure 20: Metric 3.2 – Frequency of Primary Worker Visits



Through its ongoing, focused work to end the use of secondary workers, DHS has substantively shifted case practice by prioritizing the importance of having the same, primary worker meet with the same child each month. This enhanced practice supports better outcomes for children through consistent case planning by the same worker to secure a child’s placement stability, safety, and permanency. The Co-Neutrals conclude that DHS has made good faith efforts to achieve substantial and sustained progress with the Target Outcome for Metric 3.2.

Performance Metrics for Continuity of Visits, Metrics 3.3a and 3.3b

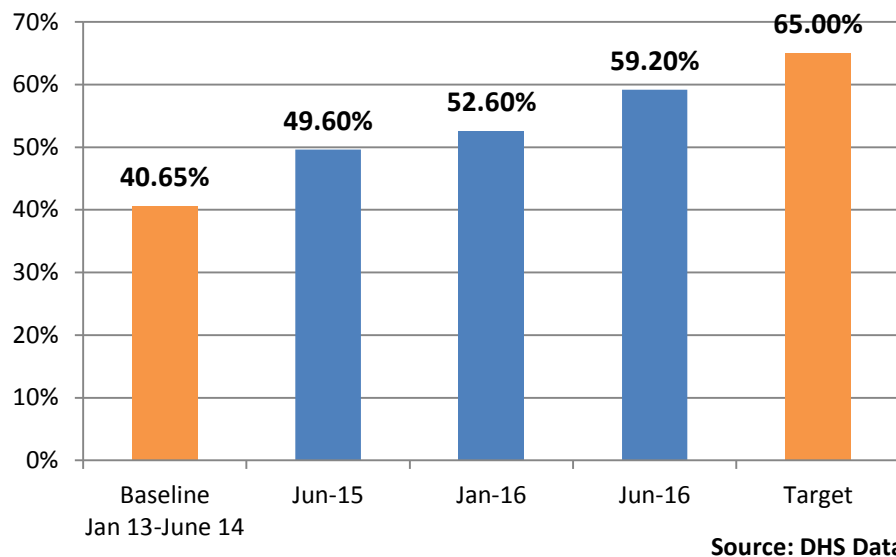
The measure the Co-Neutrals use to assess Oklahoma’s progress on continuity of children’s visits with the same caseworker was staged in two phases. First, DHS reported on the continuity of visits over three months (Metric 3.3a).²⁴ DHS is now in the second phase, reporting for the third time its performance outcomes on continuity of visits over six months (Metric 3.3b). This is a more stringent measure than 3.3a as maintaining continuity for six months presents a greater challenge than doing so for three months. Metric 3.3b measures the following:

The percentage of children in care for at least six consecutive months during the reporting period who were visited by the same primary caseworker in each of the most recent six months, or for those children discharged from DHS legal custody during the reporting period, the six months prior to discharge.

²⁴ DHS is no longer required to report on Metric 3.3a, which measured three month continuity of visits with the same primary caseworker.

DHS' performance for this period continued to improve from the baseline that was set at 40.65 percent. For this reporting period from January 1, 2016 to June 30, 2016, DHS reports that 9,650 children required at least six consecutive visits. Of these 9,650 children, 5,717 children (59.2 percent) were visited by the same primary worker in their most recent six months in care. This represents an improvement of nearly seven percentage points from last period when DHS reported performance on this metric at 52.6 percent. The final Target Outcome is 65 percent.

Figure 21: Metric 3.3b – Continuity of Primary Worker Visits Over Six Months



DHS' improved performance on Metric 3.3b each reporting period reflects DHS' commitment to end the use of secondary workers and to improve worker retention by hiring more caseworkers to achieve manageable caseloads and implementing graduated case assignments. The Co-Neutrals find that DHS has made good faith efforts to achieve substantial and sustained progress toward the Target Outcome for continuity of visits over a six-month period.

Quality Monthly Visits

As the Co-Neutrals discussed in their last Commentary, improving outcomes for children in multiple performance areas (MIC, placement stability, foster homes, and permanency) depends, in part, on the quality and thoroughness of workers' monthly visits. The time that workers spend with children in custody each month during visits must be used to assess, discuss and plan for every child's safety, well-being, stability in his or her placement and permanency. Acknowledging the importance of quality monthly visits, DHS designed core strategies that specifically target improving monthly visits to advance child safety and placement stability.

From case record reviews and interviews with caseworkers in the field, it is apparent to the Co-Neutrals that caseworkers recognize there is a new and heightened expectation for them to use their monthly visits to assess children's safety, stability and permanency. Caseworkers understand that given their reduced caseloads, their focus should be using the increased time they have with children and families toward improved outcomes. To reduce maltreatment in foster homes, DHS committed to strengthen caseworkers' assessments of child safety during monthly visits through an enhanced contact guide. In the Co-Neutrals' 2016 review of 50 children with substantiated maltreatment during the months of March through May 2016, they observed that caseworkers were documenting notes from their monthly visits in KIDS in response to the specific areas of safety that the contact guide prompts caseworkers to review monthly. It is also imperative that caseworkers document and address all safety concerns identified during monthly visits. DHS has also committed to enhance the quality of monthly visits conducted by caseworkers with children and youth who reside in institutional settings through a strengthened contact guide that emphasizes child safety in an effort to reduce maltreatment in facilities. In the area of placement stability, DHS has committed in its core strategies to use monthly visits to assess if children and foster families have the appropriate services and supports in place to promote stable, long-term placements.

G. Placement Stability

DHS understands that placement instability is associated with increased behavioral challenges, poor educational and health outcomes, and longer waits to permanency. Achieving stable placements requires that DHS establish a robust pool of foster homes and continuum of care of placements that best meet the needs of children. It also requires a well-implemented case practice that prioritizes providing foster families and children with the appropriate services and supports to ensure homes are stable and safe for the children that reside in them.

During this report period, DHS continued to implement its core strategies aimed at improving case practice through the use of placement protocols and enhanced availability of wrap-around services to support foster parents and children at risk for placement disruptions. The Co-Neutrals have raised concerns about DHS' ability to achieve substantial improvements in placement stability statewide given the limited capacity of and funding for the services DHS identified in its core strategies to support foster families and children who may be in need of them.

Given these concerns, the Co-Neutrals asked DHS to identify additional strategies that could be brought to bear on the placement stability issue given current resources. In response, DHS established a report to be used by districts to focus attention and accountability on all children who have already experienced two placements while in DHS custody. DHS also conducted

some qualitative and quantitative analyses to gain a better understanding of child placement moves in order to help identify trends or challenges undermining placement stability.

Performance Standards

The Co-Neutrals and DHS agreed to use the federal Adoption and Foster Care Reporting System (AFCARS) files and definitions for placement moves to measure children’s placement stability. This report reviews performance data for the period April 1, 2015 to March 31, 2016 for Metrics 4.1 a, b and c and Metric 4.2.

Performance Outcomes

For this report period, DHS’ performance improved modestly for three of the four placement stability metrics, following the marked decline in performance on all four metrics last period, as detailed in Table 10 below. Metrics 4.1 a, b and c report on the number of children who experience two or fewer placements within different lengths of time in DHS custody (e.g., 12, 24 or 36 months), while Metric 4.2 reports on the number of children who experience two or fewer placements after their first 12 months in care. For Metrics 4.1 a, b and c, the improvement in performance this period recovered some of the ground lost last period; however, performance remains below its highest point achieved two periods ago and the Target Outcome. For Metric 4.2, performance has declined for the second consecutive period and remains below the Target Outcome.

Table 10: Placement Stability Baselines, Targets, and Current Performance

Metric	Baseline Oct 2011 - Sept 2012	Performance Oct 2013 – Sept 2014	Performance April 2014 – March 2015	Performance Oct 2014 – Sept 2015	Performance April 2015 - March 2016	Target 6/30/2016
4.1(a): percent of children in custody with 2 or fewer placements who are in care less than 12 months	70.0%	76.1%	77.2%	71.3%	73.1%	88.0%
4.1(b): percent of children in custody with 2 or fewer placements who are in care more than 12 months but less than 24 months	50.0%	54.0%	55.9%	54.0%	54.5%	68.0%
4.1(c): percent of children in custody with 2 or fewer placements who are in care at least 24 months	23.0%	27.5%	30.0%	29.3%	29.7%	42.0%
4.2: percent of children in care more than 12 months, with 2 or fewer placements after their 12 months in care	74% (Apr.’12– Mar.’13)	77.7%	78.5%	78.0%	77.8%	88.0%

Core Strategies

DHS designed core strategies which sought to provide foster families and children with the appropriate services and supports to prevent placement disruptions and promote safe, long-term placements for children. These support services are Systems of Care (SOC) and Comprehensive Home-Based Services (CHBS) – Maintain Placement. While these support services are important for those children who receive and benefit from them, only a small number of children receive these services statewide.

In partnership with the Oklahoma Department of Mental Health and Substance Abuse (ODMHSAS), SOC is Oklahoma's network of behavioral/mental health providers that are accessible to foster families and children in 71 sites throughout the state. SOC services are designed to support foster families with children who have serious behavioral/mental health needs that require intensive services for the child to remain stable in a family-based placement. In the absence of these wrap-around services, DHS reports that these children are more likely to experience placement instability and placements in higher levels of care.

With ODMHSAS, DHS worked to enhance access to SOC services in Region 4 by embedding 15 SOC coordinators in Region 4 offices who provide on-site assistance to DHS caseworkers and coordination and resource assistance for foster families and children. One service offered through SOC is Mobile Stabilization Teams (MST), which support stabilizing children in their current placements. MST services are available in Regions 3 and 4 and Tulsa County. As noted in the prior Commentary, due to budgetary constraints, DHS reports it will not be able to expand MST services statewide. DHS reports that for the months of June, July and August 2016, 120 children received SOC services.

DHS is also using Comprehensive Home-Based Services (CHBS-Maintain Placement) in every region of the state to support children and foster families at risk of a placement disruption, particularly focusing on early interventions to stabilize placements as quickly as possible. CHBS-Maintain Placement is often the first service foster families will receive to address child behaviors. In April and May 2016, DHS reports that statewide 61 children were referred for CHBS-Maintain Placement, and 49 of these children received services.²⁵ At the end of this report period, five children were on the waitlist for CHBS-Maintain Placement services.

DHS developed and implemented placement stability protocols in November 2015 to guide staff on how to obtain services for foster families and children who may be at risk for

²⁵ For the 12 children who did not receive services, DHS reports services were not provided due to children being removed from the placement that requested the services or it being determined by the caseworker and foster parents that additional services were not needed in the home.

placement instability. As noted in the last Commentary, the protocols developed by DHS did not appear to be a tool that caseworkers were incorporating into their day-to-day practice. The Co-Neutrals urged DHS to assess, in partnership with caseworkers in the field, both the usability and effectiveness of its current protocol to determine if the protocol should be modified to support enhanced practice and placement stability.

Through interviews with caseworkers after the end of this period, the Co-Neutrals learned of an alternative placement stability protocol designed by and used mostly in one county, which offers a simplified guide to help caseworkers assess a child's placement stability and take appropriate steps to address any instability in the home. Caseworkers in the one county expressed positive feedback and experience with the simplified guide. (See Appendix G.) DHS is piloting this tool in Tulsa County. The Co-Neutrals encourage DHS to establish one placement stability assessment tool or guide that can be used statewide, along with practice advice for implementation and use.

To further support caseworkers' ongoing assessment of children's placement stability, DHS established that, as of January 1, 2016, all child welfare specialists are required to discuss placement stability with the child and placement provider at the worker's second visit to the home and each month thereafter. The worker must document the conversations regarding placement stability in the child's KIDS record for each monthly visit. As more workers carry manageable caseloads, DHS must ensure that placement stability is a core value and service standard for workers to assess and address during each monthly visit.

Re-assessment and Expansion of Core Strategies

In the last Commentary, the Co-Neutrals recommended that DHS evaluate its placement stability core strategies to assess if the current set of strategies was sufficient in scope to improve placement stability for children across the state. In particular, the Co-Neutrals expressed concern that the three primary services included in the core strategies (Systems of Care coordinators in Region 4, MST services in Region 3, 4 and 5 and limited CHBS-Maintain Placement services statewide) would not be sufficiently available across the state to help stabilize children who may need the services. DHS concurs.

DHS has reported its ability to expand service availability to more regions or foster homes across the state has been hindered by budget constraints and the limited capacity of agencies that provide CHBS-Maintain Placement. At the same time, DHS is continuing to extract the benefits it can, where it can, with the core strategy placement stability services that are available.

Drawing on its internal capacity to improve case practice and reduce placement instability, DHS developed a new report that identifies all children who have experienced two placements in total so district directors, field managers, and assigned caseworkers, can ensure these children, as well as their foster families, are receiving any services and supports needed to prevent a third placement. To foster accountability at all levels, district directors are responsible for reporting monthly to their regional lead on each child that exited their second placement, including a detailed description of the efforts pursued to prevent each child's exit from their second placement. Regional leads then report this information to the statewide lead on placement stability, who comprehensively reviews each region's placement stability data to identify any patterns or trends that may need to be addressed. DHS intends to use its new report to analyze any trends of children who successfully remain in their second placement, or trends of children who exit their second placement in order to identify any common factors that reduce or present barriers to placement stability.

Placement Stability Analyses

During this report period, the Co-Neutrals conducted a quantitative analysis of placement stability to better understand the placement moves of children in DHS custody. The Co-Neutrals' analysis draws upon the placement records of children for their first six months in care who entered DHS' custody between the months of October and December 2015 from either Tulsa or Oklahoma City. Detailed below is a summary of the findings from a review of this data broken down by findings specific to Tulsa and Oklahoma City, and general findings that are applicable to both.

Tulsa

- **Number of Placements.** Between the months of October and December 2015, 173 children entered DHS custody in Tulsa. The majority of these children (69 percent) experienced two or fewer placements within their first six months in care. Fifty-three children (31 percent) experienced three or more placements during their first six months in care. Children ages zero to one years old entered care at a higher rate than other age groups, and older children (13 and older) were the smallest age group that entered care.
- **First Placement.** Ninety percent of first placements were into family based placements, with most children entering traditional foster homes. For ten children, their first placement was in a shelter, and most of these children were 13 and older, showing again the challenge that exists to find family-based placements for teens. Most children's (58 percent) first placement was located in Tulsa; 40 percent of those children

placed out of county were placed in kinship homes. Half of the children placed in private agency foster homes were placed out of county, suggesting there is not a sufficient pool of private agency homes for children in Tulsa. Children placed in kinship homes experienced the longest lengths of stay in placements, while those children in shelters experienced far shorter lengths of stay in placements.

- **Subsequent Placements.** Over half (60 percent) of children, did not successfully remain in their first placement, demonstrating a need to better match children with first placements that meet their individual needs, and support new placements with the appropriate services to stabilize and strengthen homes. Just over a third (38 percent) of children's second placements were into kinship homes, most often located in Tulsa. DHS must continue its efforts to more quickly locate and place children with relatives, when appropriate, to ensure children are not making multiple placements before securing the placement that best meets their needs. While more than two thirds (70 percent) of children's second placement were in county, DHS must strive to place a much higher percentage of children in county in their first placements.

Oklahoma City

- **Number of Placements.** Between the months of October and December 2015, 166 children entered DHS custody in Oklahoma City. The majority of these children (80 percent) experienced two or fewer placements within their first six months in care. For this period under review, children in Oklahoma City experienced more placement stability than children in Tulsa. Thirty-four children (20 percent) experienced three or more placements during their first six months in care. Similar to Tulsa, children ages zero to one entered care at higher rate than other age groups, and older children (13 and older) were the smallest age group that entered care.
- **First Placement.** In Oklahoma City, 92 percent of first placements were family-based. Ten children experienced a shelter stay as their first placement in DHS custody. With the closure of the public shelter in Oklahoma City, these children were all placed at Youth Services shelters. More children in Oklahoma City (64 percent) had in-county first placements than in Tulsa (58 percent) and 38 percent of children placed out of county were placed in kinship homes. Strikingly, one third of children placed in traditional foster homes were placed out of county, showing that there is an insufficient supply of in-county traditional foster homes for Oklahoma City children.
- **Subsequent Placements.** Not unlike Tulsa, the majority of children (58 percent) in Oklahoma City did not remain in their first placement; however, children in Oklahoma

City were more likely to stabilize in their second placement than in Tulsa where they are more likely to experience a third placement. For eleven children, their second placement was trial reunification, which suggests DHS might explore whether some type of prevention service or crisis services could have avoided these children entering custody in the first place. Notably, very few children in Oklahoma City experienced non-family based placements following their first placement.

Tulsa and Oklahoma City

- **Teens.** The review shows that there is an insufficient number of stable, family-based placements for teens. Teens are much more likely to experience multiple placements than their younger peers. In Oklahoma City, 19 percent of children 12 and younger had a third placement, yet 50 percent of teens had a third placement. In Tulsa, 75 percent of teens had a third placement compared to 25 percent of children 12 and younger. Interviews with caseworkers in both Tulsa and Oklahoma City consistently revealed that there is a significant dearth of foster homes willing to accept the placement of a teenager. The review also found teens were most likely to be placed initially in a shelter when compared to other age groups. In addition, brief first placements were most common for teens, as 38% of teens had a first placement that lasted less than a week.
- **Out of County Placements.** The review highlights that while most children in both Tulsa and Oklahoma City had an in-county first placement, work must be done to increase the number of children that are placed initially in their own county. Of the 341 children who were removed from both Tulsa and Oklahoma City, 53 percent experienced at least one out of county placement in their first six months in care, with 75 percent of teens experiencing an out of county placement.

This period, DHS' CQI team also reviewed this same cohort of children removed during the months of October, November and December 2015.²⁶ In their review, DHS conducted a more in-depth qualitative case review of 30 children removed over these three months. DHS found that a comprehensive assessment of a child's needs to guide DHS' placement decisions was conducted on only four of the 30 children. To identify children's needs, caseworkers are required to complete the Assessment of Child Safety (AOCS) when a child enters care to gather information, including but not limited to, a child's vulnerability, special needs, physical and emotional health and child development status. Clearly this qualitative analysis identified that DHS must strengthen its practice to ensure that children's needs are sufficiently assessed and

²⁶ DHS' review also included children removed during this period from Region 4.

identified upon entering care in order to best ensure a child's first placement matches his or her needs.

To obtain a statewide view of trends in placement stability, DHS analyzed KIDS data during three nine-month periods (Period One, May 2014-December 2014; Period Two, January 2015-August 2015; and, Period Three, September 2015-April 2016) involving all children in care during these periods. DHS' quantitative analysis found that placement stability has improved over the three periods with the average number of placements for all children in care steadily declining over the three periods. The average number of placements for all children in care during Period Three was 1.28, a decrease from an average of 1.39 placements in Period Two and 1.85 placements in Period One.

In this data review, DHS focused on why children are leaving their second placements. DHS' quantitative analysis of children who experienced more than two placements is especially helpful to inform DHS' implementation of its core strategies. DHS found that for children who experienced more than two placements, the average length of time children spent in their second placement was approximately 65 days – suggesting there is limited time to stabilize a child and family with supports and services once they are on their second placement. Early stability should be the goal.

DHS' analysis further honed in on the reasons children exit their second placement, particularly focusing on exits that were the request of foster parents due to being unable to care for or meet the behavioral needs of the child.²⁷ These are the types of exits DHS' core strategies specifically aimed to reduce by providing supports and services to stabilize and strengthen homes. DHS' analysis found performance has not improved in this area as the percent of children who exit a second placement due to foster parents' request increased in Period Three compared to both Periods One and Two. For children who exit their third placements, DHS found there was a further increase in children exiting due to foster parents' requests, reflecting the potential spiral children with multiple placements may experience as they repeatedly experience more placement disruptions due to providers requesting their removal. These findings underscore the importance of DHS' continued work to prepare and support foster parents and highlight the need for DHS to collaborate with foster parents to better understand the challenges that lead to the decision to request a child's removal from their home. In meetings the Co-Neutrals convened in the field after the report period, caseworkers identified the need to support foster parents with enhanced training so they are better prepared and

²⁷ The four exits reasons DHS included in its analysis that fall under the category of foster parents requesting a child to be removed from their home are: Placement requested change of placement; Placement unable to care for child; Placement cannot meet behavioral needs of child; and, Placement cannot meet child medical treatment needs.

informed to care for children placed in their homes. Caseworkers also noted the need for more peer to peer support groups for foster parents.

DHS' work to understand the reasons children leave their second placement will be further enhanced by their use of their new tracking spreadsheet of children who have already experienced two placements while in DHS custody. The first priority of this tracking system is to bring focus to children who have experienced two placements and guide staff to engage children and foster families who need additional support to prevent a third placement. At the same time, DHS' district level review of these cases provides DHS real-time, child specific information to understand what factors contribute to securing stable placements, and what factors lead to children experiencing additional placements.

DHS reported after the end of the period that in the month of June 2016, 129 children reviewed under the new tracking report exited their second placement. DHS reported that for the majority of these children who exited their second placement, the third placement was with siblings, relatives or to enter an adoptive home. The next most common reason these children exited their second placement was due to the placement provider requesting that the child be moved from the home. The third most common reason was due to foster family issues such as the family is experiencing medical, employment or other lifestyle changes.

DHS will need to spend more time reviewing and deconstructing data gathered from this new tracking tool to gain a better sense of how case practice needs to be strengthened to reduce the number of placements children experience. The success of this activity is contingent upon foster families and children having timely access to the appropriate services and support.

At this point in the reform effort, it is critical that DHS prioritize a case practice approach that supports placement stability. Due to DHS' sizeable investment in reducing the caseloads carried by its workers, caseworkers and supervisors should have more time to attend to the needs of children, foster families and birth families to improve stable placements. The work ahead for DHS is to ensure caseworkers receive sufficient instruction and guidance to effectively assess and address placement stability for the children and families they serve.

Throughout this period, DHS continued its commitment to implement its placement stability core strategies and developed a new tracking and intervention approach for children at risk of a third placement, which includes reviewing system wide placement data to understand what additional strategies or case practice enhancements may be needed to advance placement stability for children in DHS custody. The Co-Neutrals find DHS made good faith efforts during this period to achieve substantial and sustained progress toward the placement stability Target Outcomes.

The slight progress DHS made over the last reported period to increase placement stability for children in DHS custody appears to be tentative. In order for DHS to achieve substantial improvement in this area going forward, DHS must expand its existing placement stability core strategies with new efforts that have the capacity to meaningfully impact placement stability for children across the state. DHS committed that by December 31, 2016 it will have new approved core strategies that are based upon its assessment of barriers that undermine stable placements for children, particularly focusing on how to prevent foster parents' requests for children to be removed from their homes. DHS' efforts to carefully design new strategies to improve placement stability will inform the Co-Neutrals' finding in the next Commentary on whether DHS has made good faith efforts toward the Target Outcomes.

The reviews by both DHS and the Co-Neutrals show the urgency of supporting foster parents to advance placement stability. In particular, DHS must ensure that children's needs are thoroughly and continuously assessed to best match a child with a home that meets his or her needs, advancing the goal of first placement best placement, and to ensure that the child and the home have the appropriate services in place to support the home's stability and child's well-being. DHS' work over this period implementing its new tracking tool for children at risk of a third placement and conducting its qualitative and quantitative analyses of placement stability offer DHS valuable information to inform its task of identifying new placement stability core strategies.

H. Permanency

In addition to ensuring the safety and well-being of children in its custody, DHS is responsible to secure for these children timely permanency (reunification, adoption or guardianship) with a forever family. DHS has struggled throughout the reform to make substantial or sustained progress toward the permanency Target Outcomes; however, within the last two report periods DHS established and implemented core strategies that either have advanced, or are beginning to advance, permanency outcomes for children in its custody. DHS' permanency core strategies were designed to advance permanency for three groups of children through strategies tailored to address their specific circumstances: children who are legally free and living in identified adoptive homes; children who are legally free and not living in identified adoptive homes; and children whose permanency goal is reunification.

As highlighted in the Co-Neutrals' last Commentary, DHS has worked to improve its practice around finalizing adoptions for children who are legally free and living with identified adoptive families by establishing Adoption Timeliness Accountability Teams (ATAT) in every region. These teams focus on achieving timely permanency for children who have a family committed to

adopt them by removing any barriers that have or may impede the child's adoption within an identified timeframe.

For children who have a permanency goal of reunification, DHS has made steady progress to implement permanency safety consultations (PSCs) statewide. By the end of the period, 15 districts were well into implementation of PSCs and all districts were on schedule to be trained in the practice by July 31, 2016, with statewide implementation in every district by October 2016. PSCs support permanency workers through a team review, which includes district directors, during which the opportunities for safe reunification with either parent is assessed when reunification is a child's permanency goal. When safe reunification is determined to be an option, a plan with concrete action steps is developed during the PSC to address any barriers preventing reunification.

For many children who are legally free and do not have a family identified for either adoption or guardianship, particularly older children, achieving permanency often remains more elusive. In the previous Commentary, the Co-Neutrals urged DHS to assess what additional activities are required, beyond the existing core strategies, to achieve permanency for older youth and, again, to gain a thorough understanding of its permanency practice and why the majority of children who are on the cusp of aging out do not have a case plan goal to achieve permanency through adoption, guardianship or reunification.

As documented in DHS' Pinnacle Plan, one of DHS' earliest strategies to identify families for legally free children without an identified placement was to assign an Adoption Transition Unit (ATU) worker who would focus solely on searching for permanent families for these children. In July 2016, DHS reported that the focus for assigning an ATU worker had been for children ages 13 and older, after which efforts will be made to assign an ATU worker to every child, of any age, who is legally free without an identified placement, starting with children measured in the Metric 6.4 who have a goal of adoption. Metric 6.4 reviews the permanency outcomes for children who are legally free and turned 16 years of age within two years before the report period.

Toward the end of the period, DHS reported that it was developing regional permanency plans and had designated a permanency lead for every region who would track and guide casework efforts to achieve permanency for children, particularly those who are legally free. After the conclusion of this reporting period, DHS presented their regional permanency plans to the Co-Neutrals, along with a list of core strategies focused on permanency efforts for children who are or will soon be measured in Metric 6.4.

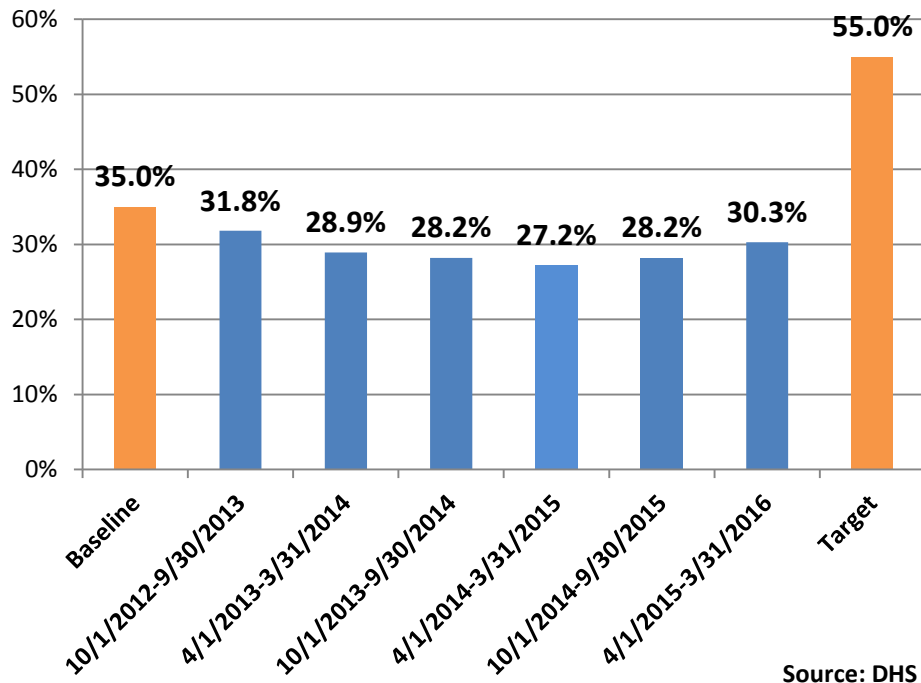
Permanency Performance

Timeliness of Children's Permanency, Metrics 6.2 (a-d)

Metrics 6.2 (a, b, c and d) measure DHS' progress to achieve timely permanency for children who entered foster care at a designated time and who achieved permanency in 12, 24, 36 or 48 months from the child's removal from their family. The following summaries and tables detail the baselines, performance to date and targets for each of the 6.2 metrics.

Metric 6.2a, Permanency within 12 months of removal: DHS reported that of the 2,359 children who entered foster care between October 1, 2014 and March 31, 2015, 714 children achieved permanency within 12 months of their removal date. This represents a permanency achievement rate of 30.3 percent for Metric 6.2a, which is an improvement of 2.1 percent since the last report period. The Target Outcome is 55 percent. While DHS has reported incremental progress over the last two report periods, performance has remained below the baseline set at 35 percent for every report period.

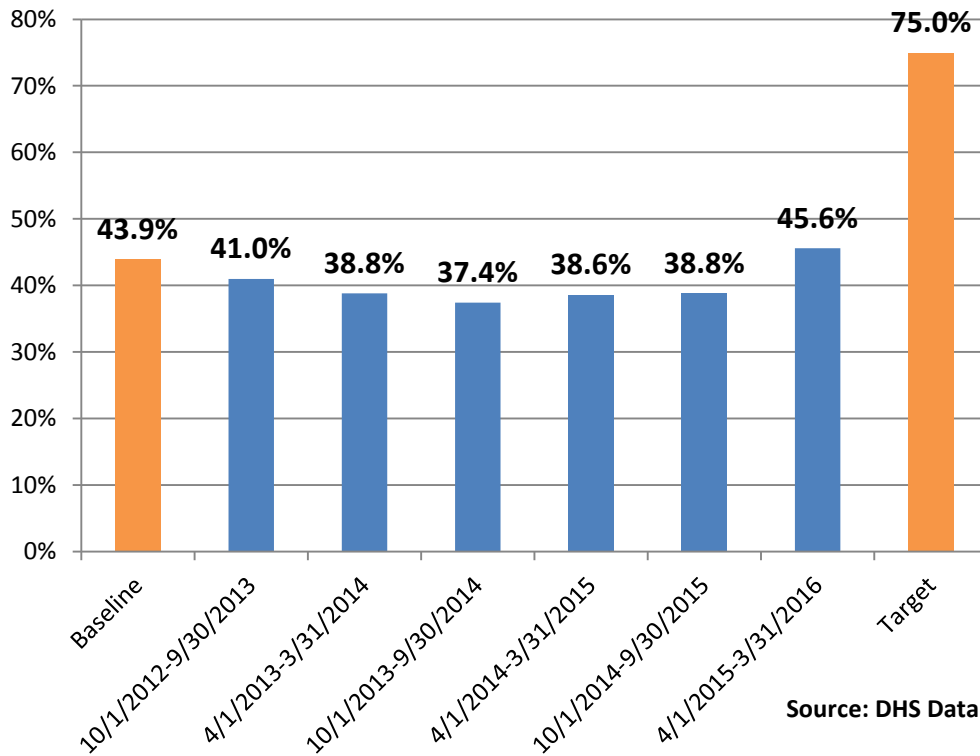
Figure 22: Metric 6.2a – Permanency within 12 Months of Removal



Source: DHS Data

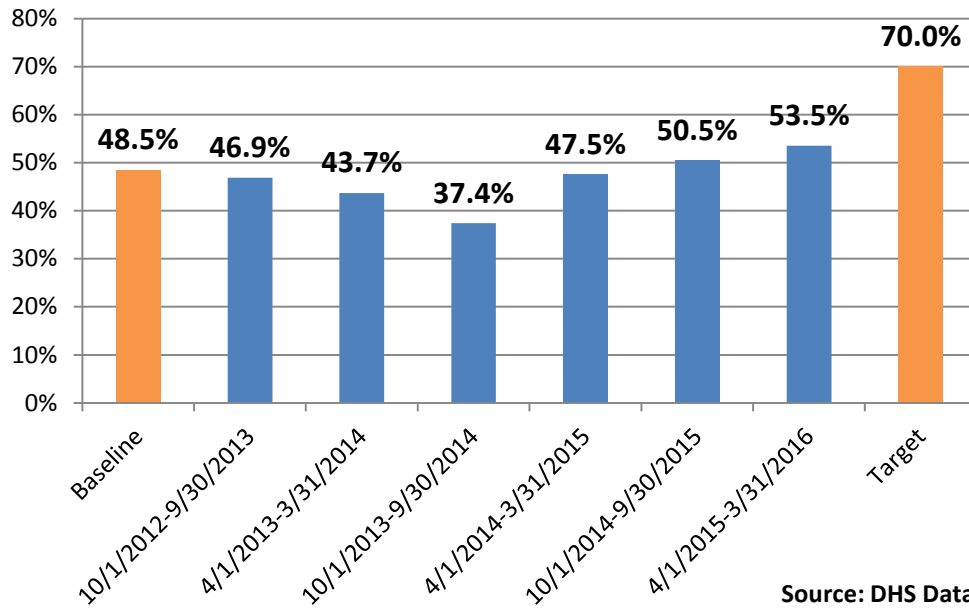
Metric 6.2b, Permanency within two years of removal: DHS reported that of the 1,944 children who entered foster care between October 31, 2013 and March 31, 2014 and stayed in foster care for at least 12 months, 886 children achieved permanency within two years of their removal date. This represents a permanency achievement rate of 45.6 percent for Metric 6.2b, and an improvement of 6.8 percent since the last report period. For the first time, DHS is reporting outcome data for this metric above the starting baseline of 43.9 percent.

Figure 23: Metric 6.2b – Permanency within 2 years of Removal



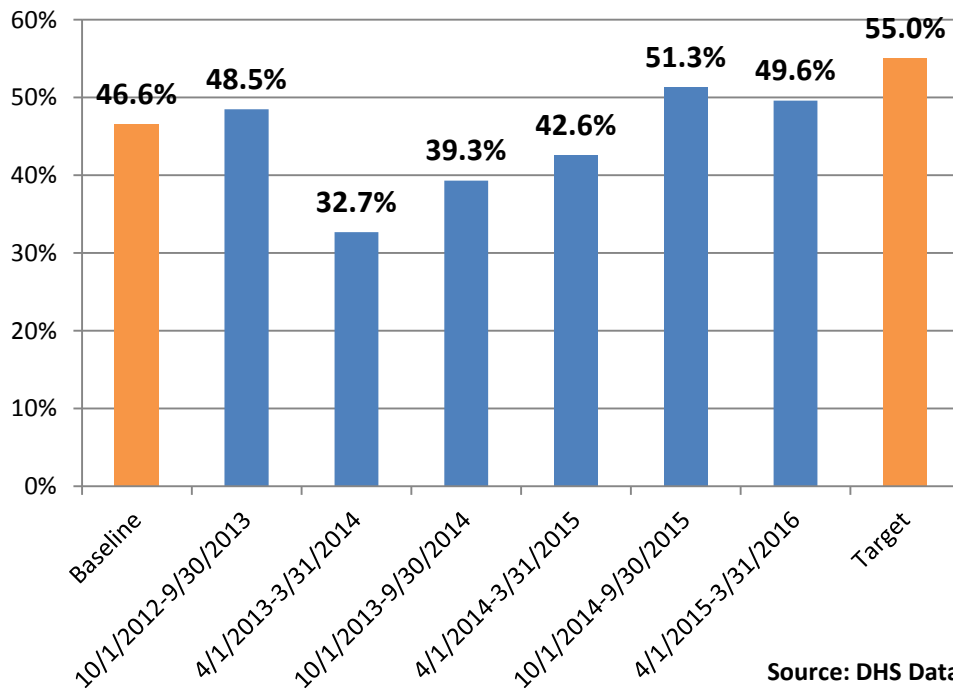
Metric 6.2c, Permanency within three years of removal: DHS reported that of the 1,095 children who entered foster care between October 1, 2012 and March 31, 2013 and stayed in foster care for at least 24 months, 586 children achieved permanency within three years of their removal date. This represents a permanency achievement rate of 53.5 percent for Metric 6.2c, which is a three percent improvement since the last report period. For the last three report periods, DHS has trended toward the Target Outcome of 70 percent.

Figure 24: Metric 6.2c – Permanency within 3 years of Removal



Metric 6.2d, Permanency within four years of removal: DHS reported that of the 415 children who entered foster care between October 1, 2011 and March 31, 2012 and stayed in foster care for at least 36 months, 206 children achieved permanency within four years of their removal date. This represents a permanency achievement rate of 49.6 percent for Metric 6.2d, which is a performance decline of 1.7 percent improvement since the last report period. However, performance remained over the baseline for the last two periods under review. The Target Outcome is 55 percent.

Figure 25: Metric 6.2d – Permanency within 4 years of Removal



The Co-Neutrals find that for this report period, DHS has made good faith efforts to achieve substantial and sustained progress for Metrics 6.2 (a-d). DHS has focused on implementing Permanency Safety Consultations (PSCs) as the primary core strategy to improve timely reunification for children in DHS custody as measured by all four of the 6.2 metrics. In discussions with DHS staff in every region of the state, caseworkers shared with the Co-Neutrals positive feedback regarding PSCs and the support that this team-oriented strategy offers to their case planning to achieve permanency for children through reunification. PSCs are particularly important for Metrics 6.2 a and b, which focus on the children who have been in custody for the shortest length of time and more often have a permanency goal of reunification. DHS reported that by the end of the report period, 1,804 child-specific PSCs had been completed in an effort to safely reunify these children with their parents as soon as

possible. The PSC training and reviews are designed to systematically improve case practice as they emphasize how safety assessments and permanency planning can and must be part of a caseworker's everyday practice.

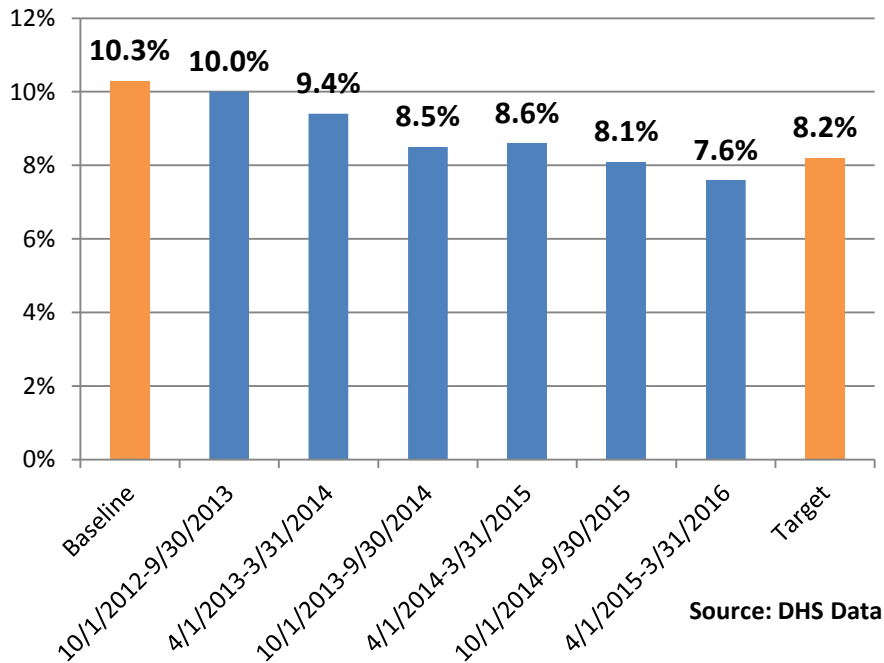
As DHS proceeds to implement PSCs in every district of the state, the expansion of this practice, which concentrates on evaluating and advancing safety for reunification, should also result in improved performance under the 6.2 metrics. However, as with all core strategies, DHS will need to maintain its commitment to ensuring quality assurance in the application of this strategy and make adjustments as needed if this strategy is not making a significant contribution to positive outcomes for children with a permanency goal of reunification.

Children's Re-entry to Foster Care within 12 Months of Exit, Metric 6.3

Metric 6.3 measures how well DHS ensures that children who achieve permanency remain with their permanent family and do not re-enter foster care in a short period of time. Specifically, Metric 6.3 measures re-entry to foster care within 12 months of a child's discharge to permanency (not including adoption) in the 12-month period prior to the reporting period.

The baseline for this metric is 10.3 percent of children re-entering care; the final target set for June 30, 2016 is no more than 8.2 percent of children re-entering care. For this period, DHS reported that of the 2,869 children who discharged to permanency (not including adoption) between April 1, 2014 and March 31, 2015, 218 children re-entered care within 12 months, which represents 7.6 percent of child re-entries and an improvement of .5 percent since the last report period. DHS has exceeded the final Target Outcome for this permanency measure for the last two report periods. The Co-Neutrals find that DHS has made good faith efforts to achieve substantial and sustained progress for Metric 6.3.

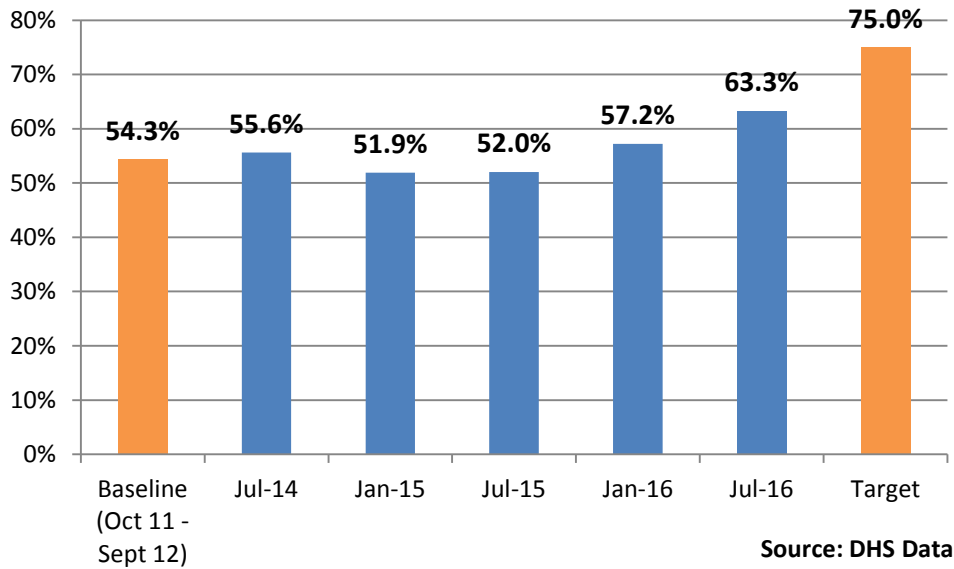
Figure 26: Metric 6.3 – Re-entry within 12 Months of Exit



Timeliness to Adoption for Children Who Become Legally Free, Metric 6.5

Metric 6.5 measures the timeliness to adoption for children who became legally free for adoption in the 12 months prior to the reporting period. The baseline for this metric was established at 54.3 percent with the performance target set at 75 percent. In the current reporting period, DHS reported that of the 2,304 children who became legally free between April 1, 2014 and March 31, 2015, 1,459 (63.3 percent) were adopted within 12 months of becoming legally free. This represents a significant increase of 6.1 percent since the last report period.

Figure 27: Metric 6.5 – Permanency Performance



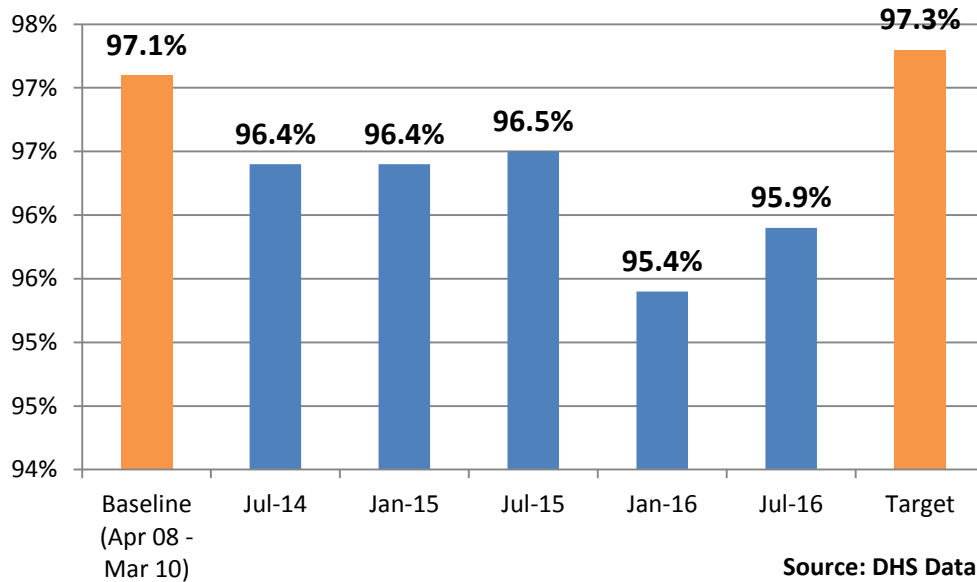
DHS’ regional Adoption Timeliness Accountability Teams (ATATs) continue to set and track dates for finalizing adoptions and address barriers that have delayed achieving permanency for legally free children who have an identified adoptive family. The progress achieved under this metric is the result of concentrated attention applied to children’s individual cases to achieve timely permanency. The Co-Neutrals find that DHS has made good faith efforts to achieve substantial and sustained progress toward the Target Outcome established for Metric 6.5 during this report period.

Adoption Permanency, Metrics 6.6, and 6.7

Permanency metrics 6.6 and 6.7 measure how well DHS avoids pre-adoption placement disruptions and post-adoption finalization dissolutions.

Metric 6.6 measures the percentage of adoption placements that do not disrupt over a 12-month period, of all new trial adoption placements during the previous 12-month period. The baseline for this metric was set at 97.1 percent and the Target Outcome was set at 97.3 percent. DHS’ performance had decreased over the last two report periods, keeping the outcome below the starting baseline. For this reporting period, DHS’ data shows that of the 2,020 children who entered a trial adoption placement between April 1, 2014 and March 31, 2015, 1,938 children (95.9 percent) did not disrupt from their placements within 12 months of entering trial adoption.

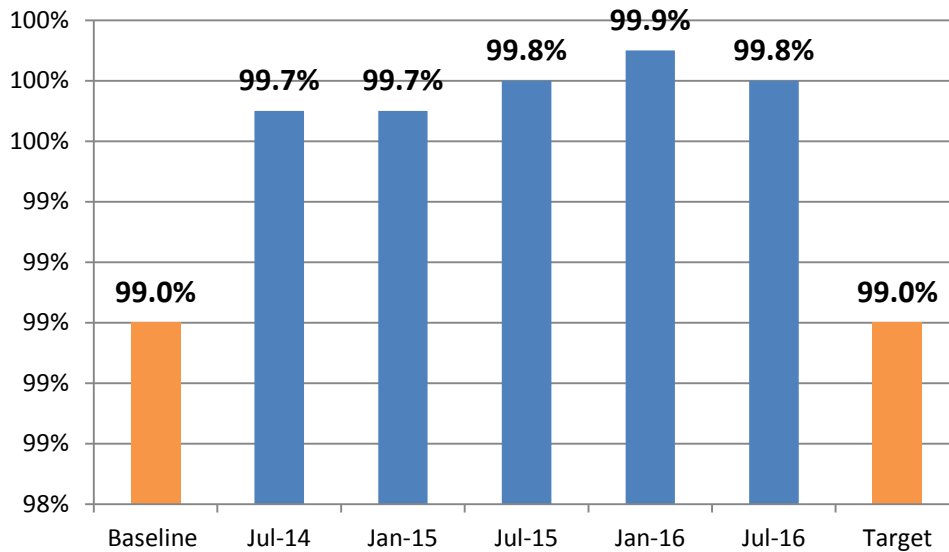
Figure 28: Metric 6.6 – Permanency Performance



While the performance data for this report period shows an increase of only .5 percent, it is important to recognize that the number of children who were in trial adoption during this period also increased substantially to 2,020 children compared to 1,549 children during the last period and 1,297 children the preceding period, which positively reflects DHS’ efforts to increase the number of children moving toward permanency. The Co-Neutrals find that DHS has made good faith efforts to achieve substantial and sustained progress toward the Target Outcome for Metric 6.6.

Metric 6.7 measures the percentage of children who achieved permanency through adoption over a 24-month period and did not experience adoption dissolution within 24 months of adoption finalization. The baseline for this metric was established at 99.0 percent and the Target Outcome was set at 99.0 percent. For this reporting period, DHS’ data shows that, of the 2,702 children who were adopted between April 1, 2012 and March 31, 2014, the adoptions of 2,697 children (99.8 percent) did not dissolve within 24 months of being adopted. DHS has consistently exceeded the Target Outcome for this metric in every report period. (See Figure below). The Co-Neutrals find DHS has made good faith efforts to achieve substantial and sustained progress for Metric 6.7.

Figure 29: Metric 6.7 – Permanency Performance



Source: DHS Data

Legally Free Children without an Adoptive Family on January 10, 2014, Metric 6.1

DHS, under Metric 6.1, committed to move to permanency an identified cohort of children and youth who are legally free without an identified family. DHS and the Co-Neutrals established the point-in-time cohort of 292 children who were legally free for adoption and did not have an identified adoptive placement as of January 10, 2014. The Co-Neutrals established permanency targets for these children and youth as follows:

- By June 30, 2016, 90 percent of the 207 children who were ages 12 and under on January 10, 2014 will achieve permanency.
- By June 30, 2016, 80 percent of the 85 children who were ages 13 and over on January 10, 2014 will achieve permanency.

DHS reported that 137 (66.2 percent) of the 207 children in the younger segment of the cohort (ages 12 and under) achieved permanency as of June 30, 2016. This is an increase of 18 children since July 1, 2015 when DHS last reported to the Co-Neutrals that 119 children had achieved permanency. This is the fewest number of children in this younger segment who achieved permanency within a six-month report period.

For the 85 children in the older group (ages 13 and older), DHS reported that a total of 32 children (37.6 percent) achieved permanency as of June 30, 2016, an increase of nine children

since December 31, 2015. DHS also reported that as of June 30, 2016, 23 children (27 percent) in the older cohort have aged out of custody without achieving permanency, an increase of five children since December 31, 2015 – the end of the previous period for this measure.

Throughout this report period, DHS had an ATU worker assigned to search for and identify a permanent family for the children in this older cohort. DHS reported that these ATU workers, along with a child’s permanency planning caseworker and an assigned resource home recruiter, conferenced every month to review progress and plan any work needed to explore additional permanency options or solidify plans to expedite permanency with an identified, viable family for these older children.

Table 11: Metric 6.1 – Permanency Performance

Permanency Metric	Baseline	Permanency Target by June 30, 2016	Permanency Achieved as of June 30, 2015	Permanency Achieved as of December 31, 2015	Permanency Achieved as of June 30, 2016
6.1: Of all legally free children not in an adoptive placement on 1/10/14, the number who have achieved permanency.	207 children- Age 12 and under	90%	78 children (37.7%) achieved permanency	119 children (57.5%) achieved permanency	137 children (66.2%) achieved permanency
	85 children- Age 13 and older	80%	17 children (20.0%) achieved permanency	23 children (27.1%) achieved permanency	32 children (37.6%) achieved permanency

Work remains for DHS to improve permanency outcomes for children of all ages from this cohort who are still in DHS’ custody. However, DHS has implemented focused strategies, including family finding and targeted case reviews that resulted in steady progress over each report period to achieve permanency for children in the younger cohort, and has dedicated greater attention and staff resources to achieve permanency for children in this older cohort. The Co-Neutrals find that DHS has made good faith efforts to achieve substantial and sustained progress toward the Target Outcomes established for the younger and older cohorts of Metric 6.1.

Permanency for Older Legally-Free Youth, Metric 6.4

This metric measures the experience of a cohort of legally free youth who turned 16 years of age within two years before the report period and tracks those children to measure: the percentage of these youth who exited foster care to permanency by age 18; the percentage who remain in care after age 18; and, the percentage who exit care without permanency. The interim and final Target Outcomes for this metric are set only for the percentage of youth who achieve permanency. However, the outcomes for youth exiting care without permanency or

who remain in DHS' care are also publicly reported to provide transparency into their overall experience.

DHS' baseline for this permanency metric was set at 30.4 percent of youth exiting with a permanent family. Two interim targets were set, the first of which is 50 percent of youth exiting to permanency by December 31, 2014, and the second with 75 percent exiting to permanency by December 31, 2015. The final target is set at 80 percent by June 30, 2016.

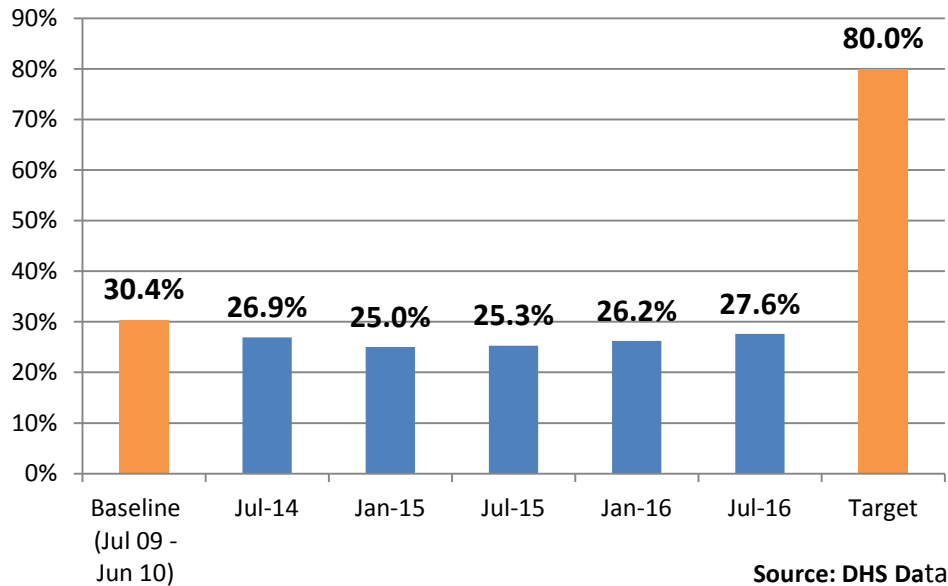
For this period, DHS reported that 105 legally free children turned 16 years old between April 1, 2013 and March 31, 2014. Twenty-nine of these children, representing 27.6 percent, achieved permanency as follows:

- Twenty-four youth were adopted;
- Two youth exited through guardianship;
- One youth was reunified with their families; and,
- Two youth exited through custody to a relative.

Sixty children exited without permanency (57.1 percent) and 16 children remained in DHS' care.²⁸ As shown in Figure 30 below, performance outcomes for this metric have shown slight improvements over the last three periods; however, all performance outcome data reported during the reform period remain below the original baseline.

²⁸ One of the 60 youth who exited without permanency was transferred to another agency, and the child's final permanency outcome is, as result, unknown and two were identified as AWOL.

Figure 30: Metric 6.4 – Permanency Performance



Achieving Permanency for Older Legally Free Children – Metric 6.4

For the children reviewed under the 6.4 measure, in every report period the majority of these children have aged out of foster care without permanency. In previous Commentaries, the Co-Neutrals have noted serious and urgent concerns regarding DHS’ insufficient efforts to develop targeted and effective strategies focused to achieve permanency for older, legally free children before they reach the age of 18.

Many of the legally free children included in Metric 6.4 have been in custody for much of their lives and experienced multiple failed placements, which often exacerbates behavioral challenges and causes many youth to experience or require placements in treatment facilities. These factors alone make it incumbent on DHS to develop targeted strategies designed to address the unique circumstances of older legally free youth.

It is important to note that while DHS has not been able to achieve any gains in the percentage of children in this measure who achieve permanency, DHS’ data shows that the number of children measured in Metric 6.4 has reduced from 148 children reported in January 2015 to the 105 children reviewed in this period’s data reported in July 2016.

Core Strategies to Achieve Permanency for Children at Risk of Aging Out

The Co-Neutrals have examined DHS' efforts during the report period to develop and implement core strategies to achieve permanency for the children reviewed in Metric 6.4. DHS reported that most of its focused efforts to secure permanency for these older legally free children began late in the period, including the development of regional permanency plans with accompanying reporting and tracking mechanisms managed by regional permanency leads.

The Co-Neutrals have reviewed the regional permanency plans and understand the value of allowing each region to develop individualized plans to ensure issues and challenges specific to each region are incorporated. However, the regional permanency plans did not reflect any consistent guidance regarding baseline expectations for achieving permanency. For example, in scheduling "reviews/conferences" for children close to aging out, some regional plans require monthly reviews while one regional plan describes quarterly meetings for children who will age out within six months, which is not adequate. Some baseline expectations need to be included in these plans.

DHS reported that the regionalized plans will also allow DHS to test the efficacy of strategies developed locally with a view toward expanding statewide any identified best practices. There are some consistent strategies in the plans that apply to all regions, such as having district directors review any planned removals of children ages 13 or older. This strategy represents an ongoing and longer-term strategy to reduce the number of children in DHS custody who become legally free and reach the age of 16. DHS should continue to explore such options that it can safely implement to reduce the number of older, legally free children who are measured in Metric 6.4. However, very focused and child specific efforts must be diligently applied to every child who is measured in Metric 6.4 to prevent their aging out of custody without a permanent family.

In October 2016, DHS submitted, and the Co-Neutrals approved, a listing of core strategies focused on achieving permanency for children measured in Metric 6.4. (See Appendix H.) Most of these activities will be implemented in the next period. Within these strategies, DHS committed to assign an ATU worker to all children in the 6.4 measure who have the goal of adoption. For these children, there will be monthly meetings held by each child's ATU, permanency and assigned foster home recruiter to advance with persistence all options and work needed to achieve permanency before these children leave DHS custody without a permanent family. The Co-Neutrals urge that DHS ensure that all children, regardless of their case plan permanency goal, have sufficient resources and efforts applied to support their achieving permanency.

DHS has outlined a number of strategies it will implement to achieve permanency for older children in the 6.4 measure, however, DHS did not establish most of these targeted strategies during the current report period. In the next Commentary, the Co-Neutrals will report on DHS' efforts to implement thoroughly and timely its core strategies for these older children. For the current report period, the Co-Neutrals do not find that DHS has made good faith efforts to achieve substantial and sustained progress toward the Target Outcome for Metric 6.4.

Appendix A: Metric Plan Baselines and Targets (Updated September 2015)

Oklahoma Department of Human Services Compromise and Settlement Agreement in D.G. v. Henry

Under Section 2.10(f) of the CSA, the Co-Neutrals shall issue Baseline and Target Outcomes, which shall not be subject to further review by either party but may at the discretion of the Co-Neutrals, after providing the parties an opportunity to comment, be revised by the Co-Neutrals. These Baselines and Target Outcomes are currently in effect.

1. MALTREATMENT IN CARE (MIC)			
Metric	Reporting Frequency	Baseline	Target
1.A: Of all children in foster care during the reporting period, what percent were not victims of substantiated or indicated maltreatment by a foster parent or facility staff member in a 12 month period.	Semi-Annually, in the January and July monthly reports	98.73% (April 2013 – March 2014)	99.68%
1.A (2): Number of children in the legal custody of OKDHS, found to have been maltreated by a resource caregiver over the 12 month period.	Monthly	N/A	N/A
1.B: Of all children in legal custody of OKDHS during the reporting period, what number and percent were not victims of substantiated or indicated maltreatment by a parent and what number were victims.	Semi-Annually, in the January and July monthly reports	98.56% (Oct 2011 – Sept 2012)	99.00%
1.B (2): Number of children in the legal custody of OKDHS, found to have been maltreated by a parent over the 12 month period.	Monthly	N/A	N/A

2. FOSTER AND THERAPEUTIC FOSTER CARE (TFC) HOMES				
Metric	Reporting Frequency	Target SFY 14*	Target SFY 15*	Target SFY 16*
2.A: Number of new foster homes (non-therapeutic, non-kinship) approved for the reporting period. **	Monthly	1,197 (July 1, 2013 Baseline: 1,693)	End of Year: 904 Interim Target: 678 by 3/31/15 (July 1, 2014 Baseline: 1,958)	End of Year: 1,054 Interim Targets: 12/31/2015: 527 3/31/2016: 790 6/30/2016: 1,054 (July 1, 2015 Baseline: 1,858)
Net gain/loss in foster homes (non-therapeutic, non-kinship) for the reporting period ***	Semi-Annually, in the January and July monthly reports	615	356	534
2.B: Number of new therapeutic foster homes (TFC) reported by OKDHS as licensed during the reporting period.	Monthly	150 (July 1, 2013 Baseline: 530)	150 (July 1, 2014 Baseline: 473)	172 Interim Targets: 12/31/2015: 86 3/31/2016: 129 6/30/2016: 172 (July 1, 2015 Baseline: 437)
Net gain/loss in therapeutic foster homes (TFC) for the reporting period.	Semi-Annually, in the January and July monthly reports	n/a	56	81

* By May 30 of each year, DHS shall conduct annual trend analysis to set annual targets for the total number of new homes developed and the net gain for foster and TFC homes needed to meet the needs of children in and entering care. The Co-Neutrals also set an interim target of newly approved homes for the year.

** DHS and the Co-Neutrals established criteria for counting new non-kin foster and TFC homes toward the annual targets set under 2.A and 2.B.

*** DHS and the Co-Neutrals established a methodology for counting net gains/losses of non-kin foster and TFC homes.

3. CASEWORKER VISITS			
Metric	Reporting Frequency	Baseline	Target
3.1: The percentage of the total minimum number of required monthly face-to-face contacts that took place during the reporting period between caseworkers and children in foster care for at least 1 calendar month during the reporting period.	Monthly	95.5% (July 2011-June 2012)	95%
3.2: The percentage of the total minimum number of required monthly face-to-face contacts that took place during the reporting period between primary caseworkers and children in foster care for at least 1 calendar month during the reporting period.	Monthly	51.2% (July 2011-June 2012)	Final: 90% Interim – Last reported month of: FFY 2013 - 65% FFY 2014 - 70% FFY 2015 - 80% FFY 2016 – 90%
3.3(a): The percentage of children in care for at least three consecutive months during the reporting period who were visited by the same primary caseworker in each of the most recent three months, or for those children discharged from OKDHS legal custody during the reporting period, the three months prior to discharge. Phase One: for period Jan – Dec 2012 <i>This metric is no longer reported on</i>	Semi-Annually, in the January and July monthly reports	53% (January - June 2013)	75%
3.3(b): Percentage of children in care for at least six consecutive months during the reporting period who were visited by the same primary caseworker in each of the most recent six months, or for those children discharged from OKDHS legal custody during the reporting period, the six months prior to discharge. Phase Two: for period Jan 2015 until the end of the Compromise and Settlement Agreement (CSA)	Semi-Annually, in the January and July monthly reports	40.6% (January 2013 – June 2014)	65%

4. PLACEMENT STABILITY			
Metric	Report Frequency	Baseline	Target – by June 30, 2016
4.1 (a): Percent of children in legal custody of OKDHS that experience two or fewer placement settings: Of all children served in foster care during the year who were in care for at least 8 days but less than 12 months, the percentage that had two or fewer placement settings.	Semi-Annually, in the January and July monthly report -same for all placement stability metrics	70% (Oct 2011 – Sept 2012)	88%
4.1(b): Percent of children in legal custody of OKDHS that experience two or fewer placement settings: Of all children served in foster care during the year who were in care for at least 12 months but less than 24 months, the percentage that had two or fewer placements.	Same	50% (Oct 2011 – Sept 2012)	68%
4.1(c): Percent of children in legal custody of OKDHS that experience two or fewer placement settings: Of all children served in foster care during the year who were in care for at least 24 months, the percentage that had two or fewer placement settings.	Same	23% (Oct 2011 – Sept 2012)	42%
4.2: Of those children served in foster care for more than 12 months, the percent of children who experienced two or fewer placement settings <i>after</i> their first 12 months in care.	Same	74% (Apr 2012 – Mar 2013)	88%
4.3: Of all moves from one placement to another in the reporting period, the percent in which the new placement constitutes progression toward permanency. (Note: the Co-Neutrals have suspended this metric.)	N/A	N/A	N/A

5. SHELTER USE			
Metric	Report Frequency	Baseline (January-June 2012)	Target
5.1: The number of child-nights during the past six months involving children under age 2 years.	Monthly Analysis of usage every 6 months – same for all shelter metrics	2,923 child-nights	0 by 12/31/12
5.2: The number of child-nights during the past six months involving children age 2 years to 5 years.	Same	8,853 child-nights	0 by 6/30/13
5.3: The number of child-nights during the past six months involving children age 6 years to 12 years.	Same	20,147 child-nights	0 for children 6-7 by 7/1/14 0 for children 8-9 by 10/1/14 0 for children 10-12 by 1/1/15 unless in a sibling group of 3 or more 0 for children 10-12 by 4/1/15 unless with a sibling group of 4 or more
5.4: The number of child-nights during the past six months involving children age children 13 years or older.	Same	20,635 child-nights	Interim Target by 6/30/15 # child-nights: 13,200 80% of children 13+ in shelters will meet Pinnacle Plan (PP) Point 1.17 rules* Final Target by 6/30/16 # child-nights: 8,850
1.17: Number of children ages 13 or older in shelters that had only one stay for less than 30 days.		33.7% (January-June 2014)	90% of children 13+ in shelters will meet PP Point 1.17 rules

* Pinnacle Plan Point 1.17: “By June 30, 2014, children ages 13 years of age and older may be placed in a shelter, only if a family-like setting is unavailable to meet their needs. Children shall not be placed in a shelter more than one time within a 12-month period and for no more than 30 days in any 12-month period. Exceptions must be rare and must be approved by the deputy director for the respective region, documented in the child’s case file, reported to the division director no later than the following business day, and reported to the OKDHS Director and the Co-Neutrals monthly.

6. PERMANENCY			
Metric	Report Frequency	Baseline	Target
6.1: Of all children who were legally free but not living in an adoptive placement as of January 10, 2014 ²⁹ , the number of children who have achieved permanency.	Semi-Annually, in the January and July monthly reports - same for all permanency metrics	Jan 10, 2014 Cohort 292 children	90% of children ages 12 and under on Jan 10, 2014 will achieve permanency 80% of children ages 13 and older on Jan 10, 2014 will achieve permanency
6.2(a): The number and percent of children who entered foster care 12-18 months prior to the end of the reporting period who reach permanency within one year of removal, by type of permanency.	Same	Total = 35% Reunification = 31.4% Adoption = 1.6% Guardianship = 2%	Total = 55%
6.2(b): The number and percent of children who entered their 12 th month in foster care between 12-18 months prior to the end of the reporting period who reach permanency within two years of removal, by type of permanency.	Same	Total = 43.9% Reunification = 22.3% Adoption = 18.9% Guardianship = 2.7%	Total = 75%
6.2(c): The number and percent of children who entered their 24 th month in foster care between 12-18 months prior to end of reporting period who reach permanency within three years of removal, by type of permanency.	Same	Total = 48.5% Reunification = 13.0% Adoption = 32.7% Guardianship = 2.9%	Total = 70%
6.2(d): The number and percent of children who entered their 36 th month in foster care between 12-18 months, prior to the end of the reporting period who reach permanency within four years of removal.	Same	Total = 46.6% Reunification = 8.8% Adoption = 37.3% Guardianship = .4%	Total = 55%

²⁹ The legally free cohort for Metric 6.1 was to be set originally on March 7, 2013, the date the Metrics Plan was finalized, but due to since-corrected data challenges the cohort was established for January 10, 2014.

6. PERMANENCY			
Metric	Report Frequency	Baseline	Target
6.3 Of all children discharged from foster care in the 12 month period prior to the reporting period, the percentage of children who re-enter foster care during the 12 months following discharge.	Same	10.3% Discharged year ending 9/30/11 re-entered as of 9/30/12	8.2%
6.4: Among legally free foster youth who turned 16 in the period 24 to 36 months prior to the report date, the percent that exited to permanency by age 18; stayed in foster care after age 18, and exited without permanency by age 18.	Same	30.43% (July 2009-June 2010)	50% by 12/31/14 75% by 12/31/15 80% by 6/30/16
6.5: Of all children who became legally free for adoption in the 12 month period prior to the year of the reporting period, the percentage who were discharged from foster care to a finalized adoption in less than 12 months from the date of becoming legally free.	Same	54.3% (Oct 2011-Sept 2012)	75% by June 30, 2016
6.6: The percent of adoptions that did not disrupt over a 12 month period, of all trial adoptive placements during the previous 12 month period.	Same	97.1% (Apr 2008-Mar 2010)	97.3%
6.7: The percent of children whose adoption was finalized over a 24 month period who did not experience dissolution within 24 months of finalization.	Same	99%	99%

7. CASELOADS				
Metric	Report Frequency	Standard	Baseline	Target
Supervisors	Quarterly, every Jan, April, July and Oct – same for all caseloads	1:5 ratio	58.8% (as of June 30, 2014)	90% meet standard by June 30, 2014
Child Protective Services (CPS)	Same	12 open investigations or assessments	Same Baseline for All Case Carrying Workers: <i>27% - meet standard</i> <i>8% - 1-20% above standard</i> <i>65% - 21%+ above standard</i>	Same Interim Target for All Case Carrying Workers – by Dec 31, 2013: <i>45% - meet standard</i> <i>30% - 1-20% above standard</i> <i>25% - 21%+ above standard</i> Final Target: 90% of all workers meet their standard by June 30, 2014
OCA (Office of Client Advocacy)	Same	12 open investigations		
Family Centered Services (FCS)	Same	8 families		
Permanency	Same	15 children		
Foster Care	Same	22 families		
Adoption	Same	8 families & 8 children		

**Appendix B: Co-Neutral Review of Maltreatment in Care Substantiations in Foster Homes
March – May 2016**

The Co-Neutrals’ team conducted a case record review of 53 maltreatment in care substantiations (contained in 24 referrals) during the months of March, April and May 2016 for maltreatment in foster homes of children in DHS custody. The Co-Neutrals sought to understand any patterns of practice or systemic concerns that DHS could address to prevent future maltreatment of foster children in family based settings. The following is a summary of the findings of this review.

Context

The chart below shows the breakdown of 50 of the child MIC substantiations by foster home placement type. The 50 substantiations reviewed are contained in 21 of the 24 referrals reviewed. Three of the referrals involving three child substantiations are not included in this summary as DHS overturned the three substantiations through the program review.³⁰

Substantiations by Placement Type in Foster Care

Placement Type	No. of Substantiations	Percentage
ADOPTIVE HOME/NON-RELATED	1	2%
CONTRACTED FOSTER CARE – HOMES	1	2%
CW FOSTER FAMILY CARE	10	20%
CW FOSTER FAMILY CARE - SUPPORTED HOME	5	10%
KINSHIP/NON-RELATIVE/CW FOST. FAM. CARE	1	2%
KINSHIP/RELATIVE/CW FOST. FAM. CARE	25	50%
THERAPEUTIC FOSTER CARE HOME	3	6%
TRIB APRVD FOSTER CARE-KINSHIP/RELATIVE	4	8%
Grand Total	50	100%

³⁰ The Co-Neutrals used DHS’ preliminary, monthly MIC in foster homes data to identify all 24 substantiated referrals from the months of March through May 2016. Because the data is preliminary, DHS has not completed its program review of some of the substantiations. At the time of writing, 13 of the 21 referrals have a completed program review. Eight of the referrals currently have a program review pending. Five referrals initially reported as substantiated have been excluded from the data in this summary because their findings were overturned through the program review. We reviewed three of the five overturned referrals and have some questions regarding the program review decision on two.

Methodology

The Co-Neutrals developed a tool to review substantiated referrals in foster home settings. The review tool was shared with DHS. The Co-Neutrals gathered all information for these reviews from DHS' KIDS data system. The reviewers focused primarily on the following locations in KIDS: 1) Referral records, including the DA report, interviews, assessments of child safety and the file cabinet; 2) Resource records, including the referral and placement history, contact notes, resource status and the file cabinet; and 3) Child/client records, including contact notes, placement history, and the file cabinet. As part of the case review, we also assessed if the investigation, foster home and child records revealed the same patterns of concern that the Co-Neutrals and DHS identified in their FFY14 MIC case reviews or any new patterns of concern. In this current record review, we coded the substantiations by seven categories of concerns: referral history, quality of visits, overfills, home approvals, special needs children and unapproved individuals in the foster home. An explanation of each category of concern is presented below.

Summary Findings for Foster Care:

The table below summarizes the findings of the 21 referrals reviewed. Any referral could be coded with one or more of these seven areas of concern or as having no concerns.

Code	Concerns	# of Referrals	% of Referrals (N=21)
A	Referral History	8	38%
B	Quality of visits	3	14%
C	Overfills	9	43%
D	Home approval	10	48%
E	Special needs children	2	10%
F	Unapproved individual(s) in home	7	33%

The following is an explanation of each category of concern used to code the substantiated referrals in foster homes:

- A. Referral History.** The records show prior (sometimes multiple) referrals of concern that had been screened out, ruled out, or unsubstantiated. For some homes, the history of referrals reveals a pattern of concerning conditions that went unaddressed until the current substantiation, including prior referrals containing allegations similar to those substantiated in the current referral reviewed. Questions additionally emerged about why some referrals were screened out when the caller (school counselor, child's caseworker, etc.) had legitimate concerns that would appear to fall within the definition of abuse or neglect. Lastly, a pattern of unsubstantiated findings suggests that the home/child should receive additional supports and/or closer monitoring, yet from the review, it was not clear if unsubstantiated findings resulted in heightened oversight or supports for the child and foster home. (Note, a home is

coded with the concern “referral history” if the home has prior, relevant referrals during the time the home was an approved foster home. If the home has a relevant referral history prior to home approval, the referral is coded with the “home approval” concern.)

- B. Quality of Visits.** The records reveal concerns or questions regarding the quality of caseworker visits – for both permanency and foster care workers. While DHS data shows that monthly visits are occurring, it appears that significant issues/concerns may be going undetected by workers during these visits. CPS investigators’ notes sometimes reveal new concerns – beyond the matter of the substantiated referral – that appear to have gone undocumented in the foster home or children’s records. The review also raised questions about whether permanency workers are sufficiently addressing discipline and safety during visits. It is important to note that the reviewers were cautious in coding referrals as having concerns with “quality of visits” as it is challenging to assess the thoroughness of visits through KIDS records.
- C. Overfills.** The records show approved and unapproved placement overfills beyond the number of children originally approved for the home. It is important to note that this finding was made when a home was overfilled, independent of whether the overfill was an apparent contributing factor to the child abuse or neglect substantiation.
- D. Home approval process.** The records present concerns regarding the decision to approve a foster home/foster parent, particularly given their child welfare or criminal histories. In some instances, it was during the investigation that DHS uncovered criminal records and other concerns that previously existed, raising questions about the background check process. In other instances, the suitability of foster parents came into question due to histories of drug and/or alcohol abuse, sexual abuse, domestic violence and/or anger management problems.
- E. Special needs children.** The records show children with special needs or challenges placed in homes that appear not to have the supports or skills to properly care for them. Record may also show multiple children with challenging behaviors placed together.
- F. Unapproved individual(s) in the home.** The records show that unapproved individual(s) were living or frequently present in some foster homes. In some cases, these individuals were the perpetrators that caused the abuse or neglect that resulted in the substantiation. The reviewers also found that in some cases there was a pattern of unapproved individuals in the home and that the caseworker had warned the foster family that the individual must not be in the home. (Note: this concern was identified mostly in kinship homes.)

The records show other concerns that did not fall into one of the above categories but warrant some attention. For example, the reviewers observed that in some cases issues or concerns that were detected by workers through monthly visits were not being promptly and/or adequately addressed to better ensure a child’s safety. Another concern that emerged in two referrals was questions around the

mental capacity of the foster parent to properly care for children, and if workers were properly assessing this during visits.

Further, the following questions emerged from the case reviews:

1. We observed that a home's status becomes "unavailable" when a home is under investigation. Following the investigation's substantiated finding, the home's status often remains "unavailable" for a period of time before the home is formally closed. What is DHS' practice for timely closing homes and ensuring, as appropriate, that homes with an abuse/neglect substantiation are not re-opened?
2. The review identified some concerns specific to substantiations that took place in tribal approved or involved homes, including home approvals or court ordered placements. It would be helpful to understand how DHS works with the tribes on home approval, home monitoring/support, home closures and addressing concerns in homes where placement is court ordered.
3. As a part of the core strategies, DHS committed to a joint review of all referrals on a home when a new referral is received, regardless of its disposition. Where is DHS documenting this review in KIDS?
4. When a referral is screened out as a policy violation and foster care is notified, where is foster care documenting its review of the screened out referral and any actions that may result from this review?
5. In order to ensure children's safety in foster homes, DHS policy requires that unannounced visits occur no less than three times a year. Is DHS tracking that this policy requirement is met for each child in care?
6. DHS policy also requires that contacts with a foster child and foster parent increase in times of change and stress. How is DHS monitoring that workers are increasing contacts in homes during these times?
7. Has DHS provided any specific guidance to staff on where notes should be made in the monthly contacts regarding discussions with children and foster parents regarding placement stability?

We look forward to discussing DHS' review and assessment of these findings and substantiated cases.

**Appendix C: Co-Neutral Review of Maltreatment in Care Unsubstantiations in Foster Homes
March – May 2016**

The Co-Neutrals’ team conducted a case record review of 39 unsubstantiated/rule out (“RO”)³¹ maltreatment in care referrals during the months of March, April and May 2016 that took place in foster homes. Through this case record review, the Co-Neutrals sought to assess if investigation case practice followed DHS policy, particularly focusing on whether sufficient evidence was gathered and properly evaluated during the investigation to support DHS’ unsubstantiated and RO findings. The Co-Neutrals also sought to understand any patterns of practice or systemic concerns that DHS could address to strengthen investigative case practice and prevent future maltreatment of foster children in family based. The following is a summary of the findings of this review.

Context

The Co-Neutrals’ case record review included a review of 39 unsubstantiated/RO referrals in foster homes. The chart below shows the breakdown of the referrals by foster home.

Unsubstantiations/Ruled Outs by Placement Type in Foster Care

Placement Type	No. of Unsubstantiations/ROs		Percentage	
ADOPTIVE HOME/NON-RELATED	1		3%	
CW FOSTER FAMILY CARE	11	17	28%	44%
CW FOSTER FAMILY CARE - SUPPORTED HOME	6		15%	
THERAPEUTIC FOSTER CARE HOME	3		8%	
CW FOSTER FAMILY CARE/KINSHIP/RELATIVE	7	18	18%	46%
KINSHIP/NON-RELATIVE/CW FOST. FAM. CARE	1		3%	
KINSHIP/RELATIVE NON-PAID	1		3%	
KINSHIP/RELATIVE/CW FOST. FAM. CARE	9		23%	
Grand Total	39		100%*	

³¹ The review of 39 referrals included 6 referrals with a disposition finding of “ruled out.” The other 33 referrals reviewed had a disposition finding of “unsubstantiated.” According to DHS policy, a ruled out finding means “after an investigation of a report of child abuse or neglect, [DHS] determined that no child abuse or neglect occurred.” An unsubstantiated finding, according to DHS policy, means that following an investigation of a report of abuse or neglect, DHS “determined insufficient evidence exists to fully determine where child abuse or neglect occurred.”

Methodology

The Co-Neutrals developed a review tool for unsubstantiated/RO referrals in foster home settings. This review tool was shared with DHS, and the final tool reflects DHS' feedback. The Co-Neutrals gathered all information for the review from DHS' KIDS data system. The reviewers focused primarily on the following locations in KIDS: 1) Referral records, including the DA report, interviews, assessments of child safety and the file cabinet; 2) Resource records, including the referral and placement history, contact notes, resource status and the file cabinet; and 3) Child/client records, including contact notes, placement history, and the file cabinet.

Summary Findings:

As detailed below in the summary findings for foster care, the Co-Neutrals identified a total of five referrals of the 39 referrals reviewed, in which the unsubstantiated/RO finding does not appear to be supported by the record. Instead, the record either appears to support a substantiated finding, or due to a lack of evidence, the record is insufficient to determine a finding. For the other 34 referrals reviewed, the Co-Neutrals found that the records reviewed support the determination by DHS. Lastly, the review found other practice concerns, outside of the investigation, which also warrant DHS' attention. These findings are summarized below.

Summary Findings for Foster Homes:

The table below summarizes the case review findings of the 39 unsubstantiated/RO foster home referrals reviewed. Any referral could be coded with one or more of these seven areas of concern or as having no concerns.

Code	Concerns	# of Referrals	% of Referrals (N=39)
A	Finding not supported by the record	5	13%
B	All allegations/concerns were not addressed in investigation	3	8%
C	All required interviews were not completed	5	13%
D	Children withholding truth during interviews	6	15%
E	Overfills	12	31%
F	Referral History	7	18%
G	Written Plan of Compliance was not initiated	7	18%

The following is an explanation of each category of concern used to code the unsubstantiated referrals in foster homes:

- A. Finding not supported by the record.** For the majority of referrals reviewed (87 percent), the record supports DHS' disposition finding. However, for five foster home referrals, the record raised questions about whether DHS' finding was appropriate given the evidence gathered (or not gathered) during the investigation. For two of these five referrals, the evidence gathered

during the investigation appears sufficient to support a substantiated finding of neglect. In both referrals, the child victim was allowed access by their foster parent to an unapproved individual who exposed the child to safety risks. For the other three referrals, the record was insufficient to determine if abuse and/or neglect had occurred in the home. For these referrals, the investigation did not comprehensively address all allegations and/or concerns that emerged during the investigation to assess their veracity and thus determine if a safety threat existed for a child. In the absence of fully investigating these claims, it is unclear if the investigation thoroughly assessed all circumstances and conditions of risk that may exist in a home and/or represent abuse or neglect.

- B. All allegations and/or concerns were not addressed in the investigation.** In three referrals, some allegations and/or concerns that emerged during the investigation (often through statements made by children during interviews) were not investigated to determine if they were factual. Unlike the three referrals referenced in the paragraph above, the allegations and/or concerns unaddressed in these referrals do not appear to rise to the level of abuse and/or neglect, and, as a result, if sufficiently investigated are unlikely to alter the unsubstantiated finding. However, it is important that all allegations and/or concerns, regardless of their perceived severity, are thoroughly addressed during an investigation to ensure both an exhaustive investigation and child safety and wellness.
- C. All required interviews were not completed.** The records show that not all required interviews were completed during the investigation for some referrals reviewed. In particular, in some referrals the adoptive and biological children of foster parents were not interviewed. Given that siblings of the alleged child victim may have similar experiences in the home as the alleged victim, conducting interviews with these children is an important step to gain further information about the conditions that exist in a home. The review also identified that while collateral interviews were conducted, in some cases these interviews did not include critical individuals who were likely to have pertinent information about the child, family and/or incident(s) referenced in the referral reviewed. It does not appear that should these interviews have been conducted, the unsubstantiated finding would be altered.
- D. Children withholding truth during interviews.** In six referrals reviewed, concerns emerged about whether child victims provided honest testimony during investigation interviews, both in the current referral reviewed and in prior referrals. Some records indicated that children were coached by their caregivers to withhold the truth.
- E. Overfills.** The records show approved and unapproved placement overfills beyond the number of children originally approved for the home. Three of the 12 overfilled homes exceed the maximum number of six children (birth, adoptive, foster and other children) allowed in a foster home. It is important to note that this finding was made when a home was overfilled, independent of whether the overfill was an apparent contributing factor to the alleged child

abuse or neglect referral.

- F. Referral history.** The records show prior (sometimes multiple) referrals of concern that had been screened out, RO'd, or unsubstantiated. For some foster homes, the history of referrals reveals a pattern of concerning conditions that appear to continue to go unaddressed, including prior referrals containing allegations similar to those in the current referral reviewed. Questions also emerged about why some referrals were screened out when the caller (school counselor, child's caseworker, etc.) had legitimate concerns that would appear to fall within the definition of abuse or neglect. In addition, for some homes a pattern of unsubstantiated findings suggests that the home/child should receive additional supports and/or closer monitoring; yet from the review, it was not clear if unsubstantiated/RO findings resulted in heightened oversight or supports for the child and foster home.
- G. Written Plan of Compliance was not initiated to address deficiencies in home.** The records show in seven of the referrals reviewed a formal Written Plan of Compliance (WPC) was not initiated to address the specific deficiencies identified in the home during the investigation. Since children were not removed from these homes following the investigation, a WPC appears necessary in these cases to ensure the safety and well-being of children living in the home.

We look forward to discussing DHS' assessment of its review of these unsubstantiated cases.

Appendix D: February 2016 Memorandum regarding Joint Review of Resource Home Referrals

**State of Oklahoma
Department of Human Services**

CWS 16-02

To: CW Supervisors, District Directors, Deputy Directors and Program Staff

From: Jami Ledoux, Director
Child Welfare Services

Date: February 29, 2016

Re: Joint review of resource home referrals

In order to decrease the incidents of maltreatment in out of home care, a new process for a joint review of referrals on resource homes, whether accepted, screened out or screened out with policy violations has been developed. This process was developed to increase communication and ensure a thorough review by CPS, Permanency Planning and Resource staff of all child welfare history associated with the resource home. The protocol for conducting the review is outlined below and will take effect March 1, 2016.

1. Accepted Referrals

- a. The 10 day staffing process currently outlined in policy, 340:75-3-410 ITS will continue to be followed when a referral on a resource home is received and accepted to include resource family liaisons and resource family partner staff. In addition to the current process a review of all previous referrals on a resource home will be completed by assigned workers and supervisors in CPS, PP and Resource or RFP liaison, to be included in the 10 day staffing discussion.
- b. During the 10 day staffing a plan will be developed to address any needs identified for the family or child(ren), this will include determining resources, responsible parties and time frames for the implementation and monitoring of the plan.
- c. At the conclusion of the investigation policy violations will be identified and a determination will be made regarding the need for a Written Plan of Compliance or the need for additional supports for the family, including but not limited to additional contacts from the PP or resource workers and supervisors.
- d. The 10 day staffing is documented in KIDS Resource and PP Contacts.

2. Referrals Screened Out or Screened Out with Policy Violations

- a. When a referral on a resource home is received and screened out or screened out with policy violations, the resource or RFP liaison supervisor schedules a conference call for the joint review of the current referral and all previous referrals

on the resource home. Prior to the conference call, the assigned PP and resource staff and supervisors will review the current referral and all previous referrals to be discussed during the conference call.

- b. During the conference call a plan will be developed to address any needs identified for the family or child(ren), this will include determining resources, responsible parties and time frames for the implementation and monitoring of the plan.
- c. When a determination that a Written Plan of Compliance is needed, the guidance in numbered memo15-15 is followed.
- d. When a written plan of compliance is not sufficient to address the identified concerns, a higher level staffing is initiated by the resource supervisor. This staffing will be held within 10 days from receipt of the referral. An invitation will be sent by the resource supervisor to include the workers, supervisors, field manager(s), RFP agency director and district director(s) involved in the resource and PP cases.

The staffing will include:

- Identifying safety issues of the home,
 - placement decisions for each child currently in the home,
 - assessment of additional supports needed,
 - a determination regarding a policy violation,
 - a determination if a WPC is warranted,
 - a review of all previous referrals whether assigned or screened out,
 - whether more frequent contact with the children by PP is warranted,
 - establishment of roles and responsibilities, upon the conclusion of the staffing, for any follow-up required by each CW specialist.
- e. All staffing's will be documented in KIDS Resource and PP contacts.
3. When there is a concern the referral was inappropriately screened out, the Resource Supervisor will contact the Resource Field Manager, or agency Director and District Director(s) will be notified so the referral can be further reviewed.



Jami Ledoux, Director of Child Welfare Services

C: Bonnie Clift
Catherine O'Leary
Dena Thayer

Appendix E: Memorandum regarding background information, search and assessment for foster care

State of Oklahoma
Department of Human Services

CWS 15-13

To: Child Welfare Service Staff

From: Jami Ledoux

Date: September 9, 2015

Re: Background information, Search and Assessment for Foster Care

The Foster Care Programs unit is currently developing a statewide centralized background check process for initial approval and ongoing assessment of all kinship and foster care applicants. This centralized process will provide the consistency needed in reviewing child welfare and criminal history records to ensure we are thoroughly assessing families on the front end and through the ongoing assessment process. Until the centralized process is in place, the following draft Instructions To Staff (ITS) will be effective beginning 9-1-15 when completing background information searches on prospective kinship, or foster families, and during the ongoing assessment of the home. There are several changes to the ITS, so please familiarize yourself and refer to this when assessing the background of any prospective or current kinship, or foster parent. In addition to the draft ITS, we have attached the guidance from DHS Legal Services regarding assessment of background information.

Additional information will be provided as DHS begins implementing the centralized background check process. Training will be provided to all foster care staff regarding the policy changes upon final approval. If you have questions, please contact the foster care programs staff.

INSTRUCTIONS TO STAFF 340:75-7-15

- 1. Background information search and assessment of results. All background information searches, except for Juvenile On-line Tracking System (JOLTS) searches, are completed for each applicant and adult household member using current and previous**

names, aliases, and Social Security numbers. In the case of supported homes, (2) of this Instruction is conducted by the resource family partner (RFP) staff.

(1) Oklahoma State Bureau of Investigation (OSBI) and Federal Bureau of Investigation (FBI) criminal history records searches.

(A) Background information search authorized by signature or verbally when assessing kin for a child needing immediate placement. The child welfare (CW) specialist advises the applicant and adult household members that the applicant or household member's signature on Form 04AD003E, Request for Background Check, or his or her verbal consent, authorizes DHS to complete a background information search of the applicant or adult household member.

(B) OSBI and FBI fingerprinting criminal history records search process. The CW specialist follows the procedure to obtain, share, and process an OSBI name and criminal history records search and an FBI national criminal history records search as outlined in (i) through (iv). The CW specialist:

(i) assists every applicant and adult household member in obtaining fingerprints per current Child Welfare Services (CWS) procedure per Oklahoma Administrative Code (OAC) 340:75-7-15(c)(2) and submits Form 04AD003E to the CWS Fingerprint Processing Section for the OSBI records search and FBI national criminal history records search;

(ii) files a copy of Form 04AD003E for each applicant and adult household member in the resource record;

(iii) stores fingerprint results for each applicant and adult household member in a locked file cabinet in a separate manila envelope with the name and resource number written on the outside; and

(iv) documents in KIDS Criminal Background Check Screen the received date as the processing date of the OSBI and FBI search results.

(C) OSBI RapBack service. OSBI record of arrest and prosecution (RAP) reports are maintained by OSBI. RapBack is a service offered to Oklahoma non-criminal justice government agencies for non-criminal justice purposes, such as the foster parent application, continued approval decisions, and trial home reunification.

(i) The RapBack service is not associated with the national criminal history records search and details only subsequent Oklahoma arrests after an individual's fingerprints were submitted to OSBI and FBI for non-criminal justice purposes.

(I) Yearly OSBI background checks are not necessary as RapBack serves the purpose for yearly Oklahoma criminal background checks for active foster parents.

(II) The FBI does not have a program similar to the OSBI RapBack and continued fingerprinting for a national criminal history records search is necessary for active foster parents, every five years.

(ii) RapBack reports are received and distributed by the CWS Fingerprint Processing Section to the Foster Care Unit where the report is:

(I) reviewed, scanned, and placed in the KIDS Resource File Cabinet;

- (II) emailed to the assigned foster care specialist, supervisor, and field manager. A phone call is made to the field manager or field administrator to verify receipt; and
 - (III) forwarded by the assigned foster care specialist to resource family partners (RFP) when it is a supported foster home.
 - (iii) The foster care specialist or resource family partners (RFP) staff:
 - (I) obtains the disposition of the criminal arrest or charge detailed on the RapBack report;
 - (II) determines, upon consultation with the foster care supervisor and field manager, whether a written plan of compliance, an abuse or neglect referral, or closure of the home is warranted. If a child abuse and neglect referral is assigned, contact with the foster parent does not occur;
 - (III) contacts the foster parent to address and assess the information when an abuse and neglect referral is not assigned;
 - (IV) ensures the safety and well-being of each child placed in the foster home; and
 - (V) documents the information in the KIDS Resource in the Criminal Background screen.
 - (iv) The Foster Care Unit and DHS Legal Services provide consultation regarding RapBack information and related action steps.
 - (v) RapBack reports received regarding persons in a closed foster home are scanned and placed in the resource file cabinet by the Foster Care Unit.
 - (vi) The Foster Care Unit maintains an electronic log of RapBack reports.
- (2) Court records search. A search is completed to determine whether the applicant or adult household member is or was a party to a court action and, if so, the disposition of the criminal charges or court involvement. When the court records search indicates the applicant or adult household member is named in a protective order case, a traffic case involving drugs or alcohol, or a criminal case that is not a bar to the applicant being considered as a foster parent, the CW specialist obtains copies of the court information and the underlying law enforcement records. This information is reviewed and discussed with the applicant or household member to assess the suitability of the home and safety of a child being considered for placement in the applicant's home. The results are documented on Form 04AF007E, Records Check Documentation Form, filed in the resource record and scanned to the KIDS file cabinet. The CW specialist searches the:
- (A) Oklahoma State Courts Network (OSCN) at www.oscn.net;
 - (B) offender information and offender lookup through the Oklahoma Department of Corrections (DOC) at www.doc.state.ok.us;
 - (C) Oklahoma District Court Records (ODCR) at www.odcr.com; and
 - (D) Mary Rippy Violent Offender Registry search at www.doc.state.ok.us. A free, self-initiated search of the Mary Rippy Violent Crime Offender Registry is conducted at the DOC website by selecting:
 - (i) Offenders on the Quick Links line;
 - (ii) Violent Offenders Lookup and reading the website caveats and agreeing to the terms;
 - (iii) entering the search information; and

continues assessment with this individual, just as with any other adult household member, including determining the level of interaction he or she will have with the child.

(A) The CW or foster care specialist submits an email to the CWS Fingerprint Processing Section requesting an exception to fingerprinting for the non-caretaker with the severe physical condition.

(B) The CWS Fingerprint Processing Section conducts an OSBI criminal history check only and submits the request for an exception to the foster care field administrator for approval.

(C) When the CWS Fingerprint Processing Section receives a determination regarding the exception for the prospective caregiver or non-caregiver, the foster care specialist is notified by email and a copy of the document granting the permanent exemption to the fingerprint requirement is mailed to the foster care specialist who files it in the case record and scans it to the KIDS file cabinet.

(D) The foster care field administrator enters a KIDS contact with the determination.

3. Criminal history records search for adults in the home more than 30-calendar days per year. A criminal history records search is completed for every adult who sleeps in the household more than 30-calendar days per calendar year or engages in a pattern of overnight visitation that meets this test. Such persons are considered household members.
4. Kinship applicant criminal history records search after normal business hours, in an emergency, or on holidays. The CW specialist:
 - (1) requests a purpose code x name-based NCIC criminal history records search;
 - (2) documents the criminal history records search by local law enforcement after normal business hours, in an emergency, or on holidays in KIDS Resource Contacts screen;
 - (3) submits signed Form 04AD003E to the Fingerprint Processing Section the next business day, indicating that it is an after-hours follow-up;
 - (4) assists each applicant and adult household member for whom an NCIC criminal history records search was conducted in obtaining fingerprints within five business days per current CWS procedure; and
 - (5) does not place a child in a kinship foster home when the prospective kinship applicant or person 18 years of age or older residing in the home refuses fingerprinting.
5. Guide used to assess background history. The Assessment of Background Information of Foster Care Applicants Guide, developed and provided by Oklahoma Department of Human Services (DHS) Legal Services is utilized by foster care specialists to assess the applicant or household member's criminal history, child welfare history, Juvenile On-line Tracking System (JOLTS) information, or other concerning history, such as protective orders, traffic offenses, money judgments, or multiple marriages.
6. Certain felonies prohibit applicant approval. DHS does not grant exceptions for felony convictions listed in OAC 340:75-7-15(h)(1), for a prospective or approved foster parent or for anyone residing in the prospective or approved foster home.

- 7. Drug-related offenses.** An alcohol-related felony conviction is a drug-related offense and prohibits approval of an applicant as a foster parent, when the conviction occurred within five years preceding the application date.
- 8. Other related crimes, charges, and convictions.** The foster care specialist conducts a thorough assessment of the risk potential to the child when there is any felony or relevant misdemeanor, criminal arrests, or a conviction history regarding the applicant or an adult household member.
- 9. Assessment of history.**
 - (1) CW history.** The foster care specialist consults with the foster care supervisor on all cases. When there are multiple referrals, whether accepted, screened out, or substantiated or there is concerning CW history the field manager, or in the event the field manager is unavailable, the field administrator or deputy director is consulted. When the foster home is a kinship home, the district director, or when the district director is unavailable, the deputy director is included in the assessment regarding any found CW history, including appeal decisions. The discussion and basis for the decision are documented on Form 04AF007E, Records Check Documentation Form, and stored in the KIDS Resource File Cabinet. The field manager and district director, when applicable, consider the:
 - (A) nature and seriousness of the CW history;**
 - (B) time elapsed since the CW history;**
 - (C) circumstances of the CW history;**
 - (D) degree of rehabilitation;**
 - (E) safety of the child by such placement; and**
 - (F) results of appeals, when applicable.**
 - (2) Criminal or delinquency history.** The foster care specialist and supervisor review all criminal arrest and conviction histories of each applicant, adult members of the household, or child with a JOLTS record and determine whether to approve or deny the application based on information obtained from the criminal history records searches.
 - (A) When assessing criminal or delinquency history, a:**
 - (i) homicide includes any type of murder, manslaughter, or other charge involving the death of a person;**
 - (ii) a relevant misdemeanor may include, but is not limited to:**
 - (I) assault and battery;**
 - (II) alcohol or drug-related offenses;**
 - (III) domestic violence; or**
 - (IV) other offenses involving the use of physical force or violence against the person or property of another.**
 - (B) According to Oklahoma Statutes, a deferred sentence means a defendant entered a plea of guilty or nolo contendere; however, the court agreed to withhold a legal finding of guilt on the condition the defendant completes the terms of the deferred sentence imposed by the court. As such, the plea entered by the defendant is not a conviction to the underlying criminal charge, but may be considered in determining the applicant's suitability to be a foster parent although the applicant was granted a deferred sentence.**

(C) The foster care specialist and supervisor considers all issues relevant when assessing the applicant's appropriateness or suitability to be a foster parent.

(D) Assessment of charges and convictions include consideration of, but are not limited to, the:

- (i) type of crime committed and charges, including a detailed description of how and why the crime was committed;**
- (ii) time elapsed since the crime or conviction;**
- (iii) length of the deferment or length and type of sentence imposed;**
- (iv) completion date of the deferment and or sentence;**
- (v) assignment of a probation or parole officer and the officer's contact and location information;**
- (vi) positive changes the applicant has made in his or her lifestyle since the arrest or conviction and a description of how and why the changes occurred;**
- (vii) applicant's self-evaluation regarding how the experience may influence children placed in the home; and**
- (viii) provisions for the safety and well-being of a child in the home due to the applicant's criminal history.**

(E) The foster care supervisor consults with the field manager, or in the event the field manager is not available, the field administrator or deputy director regarding any concerning background information, including JOLTS. When it is a supported home with an RFP agency, the RFP Executive Director consults with the DHS Field Manager regarding any concerning background information, including JOLTS. When the foster home is a kinship home and concerns continue, the child's CW specialist, supervisor, and the district director or when the district director is unavailable, the deputy director is included in the assessment. DHS Legal Services is consulted as needed. The discussion and basis for the decision are documented on Form 04AF007E, Records Check Documentation Form, and stored in the KIDS Resource File Cabinet. The field manager and district director, when applicable, consider the:

- (i) nature and seriousness of the criminal history;**
- (ii) time elapsed since the criminal history;**
- (iii) circumstances of the criminal history;**
- (iv) degree of rehabilitation;**
- (v) safety of the child by such placement; and**
- (vi) any information obtained from the applicant's references regarding knowledge of his or her previous and current lifestyle.**

10. Review of a decision to deny a kinship home. When there is disagreement about whether a kinship care application is to be denied based upon criminal history records, child welfare, JOLTS, or other concerning information, the following steps are taken to obtain resolution:

- (1) the foster care field administrator reviews the decision and staffs with the district director and field manager.**
- (2) when a consensus cannot be obtained, the foster care and adoption deputy director and the regional deputy director consult;**
- (3) when a consensus cannot be obtained, the CWS director is consulted and makes the final decision; and**

- (4) DHS Legal Services attorneys are consulted, as needed, during the review process regarding an applicant or household member's background information.

INSTRUCTIONS TO STAFF 340:75-7-94

Investigation of a foster home.

- (1) **Ten-day staffing.** Per OAC 340:75-3-410, within 10 business days of receipt of the report, the child protective services specialist arranges a 10-day staffing to determine if it is safe for the child to remain in, or return to, the foster or trial adoptive home. The assigned foster care specialist, supervisor, and field manager or RFP agency child placement supervisor participate in the staffing.
- (2) **Use of the foster home during an investigation.**
- (A) The CW specialist assigned to conduct the investigation notifies the foster care specialist when initiating an investigation of the foster home.
 - (B) When sufficient information is available, a recommendation is made and documented as to the continued use of the home with the CW specialist, CW supervisor, foster care specialist, and foster care supervisor.
 - (C) A child is not placed in the foster home until sufficient information is available for a recommendation.
 - (D) The discussion and decision is documented in KIDS Resource Contacts screen by the foster care specialist.
- (3) **Child's removal from the foster home during the investigation.** When the child in DHS custody has been in the foster home for three months or longer and is removed from the foster home during the investigation, the foster parent is provided a copy of Form 04MP014E, Notice of Child's Removal from Out-of-Home Placement. The CW specialist staffs with the CW supervisor, who consults with the district director, as necessary, to determine whether to:
- (A) return the child to the foster home; or
 - (B) seek a different placement for the child.
- (4) **Child not returning to the foster home.** When the decision is to not return the child to the foster home, the CW specialist:
- (A) notifies the foster parent and the foster care worker of the decision immediately by phone; and
 - (B) provides the placement plan and the rationale behind the decision in writing via Form 04MP031E, Notice of Decision Not to Return Child After Investigation, to the foster parent within three business days after the decision.
- (5) **Concerns after a referral or investigation.** The foster care specialist and supervisor or when the investigation is on a supported home, the DHS liaison assigned to the RFP agency and the assigned CW specialist and supervisor reviews all referrals, whether screened out or accepted, all investigations, and all Form 04KI003E, Report to District Attorney, regarding the foster home for issues or concerns. The foster care specialist consults with the assigned CW specialist and supervisors regarding needed action or additional supports for the family as a result of the foster home investigation. When a supported home is involved the DHS liaison facilitates a conversation with the agency foster care worker and supervisor and the assigned CW specialist and supervisor regarding needed action or

additional supports for the family as a result of the foster home investigation. Action is taken within 10 business days upon completion of the program review by the CPS Programs Unit per OAC 340:75-3-500.

ASSESSMENT OF BACKGROUND INFORMATION OF BRIDGE RESOURCE APPLICANTS

By DHS Legal Services Division, March, 2015

I. APPLICABLE STATE AND FEDERAL LAW AND POLICY:

A. State Law: 10A O.S. §1-4-705(C) (Placement Prohibitions)

A prospective foster or adoptive parent shall not be an approved placement for a child if the prospective foster or adoptive parent or any other person in the home of the prospective foster or adoptive parent has been convicted of any of the following felony offenses:

1. Within the five-year period preceding the application date, physical assault, battery or a drug-related offense;**
2. Child abuse or neglect;
3. Domestic abuse;
4. A crime against a child, including, but not limited to, child pornography; or
5. A crime involving violence, including, but not limited to, rape, sexual assault or homicide, but excluding those crimes specified in paragraph 1 of this subsection.

** **NOTE:** A “drug-related” offense includes an alcohol-related felony conviction. (ACF Federal Child Welfare policy at 8.4F)

B. Federal Law: 18 U.S.C. §16 (Crime of Violence Defined)

The term "crime of violence" means:

1. An offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or

2. Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

C. Oklahoma Law: (Crime involving Violence)

Oklahoma statutes do not define “a crime involving violence” however, the School Code of 1971 at 70 O.S. §24-101.3(C)(1)(c) states that a “violent offense” is an offense listed as an exception to the term “nonviolent offense” as specified by 57 O.S. §571. Examples of such “crimes involving violence” are listed in the “Background and History Guide” in Section II.

D. Oklahoma Law: 10A O.S. §1-4-705(D)(4) (Relevant Misdemeanors):

Relevant misdemeanors include, but are not limited to convictions for:

- Assault and battery;
- Alcohol or drug-related offenses;
- Domestic violence; or,
- Other offenses involving the use of physical force or violence against the person or property of another.

E. DHS Protocol for Review of Criminal History:

The applicable Supervisor and Resource Specialist must review **all** criminal history of an applicant under consideration as a possible resource, including applicable court records and law enforcement records that are reasonably ascertainable. This review is mandatory. **All** criminal history includes all arrests or convictions and it applies to the applicant as well as any other adult living in the applicant’s home.

The policy would also apply when criminal history is re-checked for existing Bridge resource household members during the reassessment of the home.

F. Policy Exceptions:

When a kinship resource would be approved, but for an unmet policy requirement that does not involve safety of the child, the applicable Foster Care or Adoption Program Administrator is contacted regarding whether a policy exception can be allowed. Only a Program Administrator or higher level CWS personnel can allow a policy exception.

II. BACKGROUND AND HISTORY GUIDE: CRIMINAL CONVICTIONS THAT WOULD RESULT IN AUTOMATIC DENIAL:

A. Felony Convictions: DHS denies a resource home application if the applicant or household member has a felony conviction for a crime involving violence including, but not limited to the following:

Automatic Denial	Automatic Denial	Automatic Denial
Aggravated assault & battery on any officer of the law	Criminal syndicalism	Poisoning w/ intent to kill
Armed robbery	Discharging firearm or hurling missile at bus	Rioting or inciting to riot
Arson 1 st degree	Domestic abuse	Robbery in 2nd degree
Assault &/or battery w/ a dangerous weapon	Drug related offense w/in 5 years prior to application**	Robbery
Assault w/ intent to commit a felony	Extortion	Robbery by 2 or more persons
Assault w/ intent to kill	Injuring or burning public buildings	Robbery in 1st or 2nd degree
Assault while masked or disguised	Kidnapping	Robbery w/ dangerous weapon
Assault, physical w/in 5 years prior to application**	Kidnapping for extortion	Robbery w/ imitation firearm
Battery w/in 5 years prior to application**	Maiming	Sabotage
Burglary in 1st degree	Manslaughter in the 1st or 2nd degree	Seizure of a bus
Burglary w/ explosives	Mistreatment of a mental patient	Sex crimes: forcible sodomy; rape; or against a child
Child abuse	Murder in the 1st or 2nd degree	Shooting w/ intent to kill
Child beating	Obtaining signature by extortion	Use of a firearm or offensive weapon to commit or attempt to commit a felony
Child neglect	Pointing firearms	Wiring any equipment, vehicle or structure w/ explosives
Child, any crime against a child		

If the applicant or household member has a felony conviction for battery, physical assault or a drug related offense that is more than 5 years old it is not an automatic bar to placement, but is a factor considered in assessing safety and risk potential to the child as well as the applicant’s fitness or suitability to be a foster or adoptive (Bridge resource) parent. However, if the conviction for any of these offenses is less than 5 years old from the application date, the applicant **cannot be approved by either DHS or the court.

B. Crimes of a Sexual Nature: DHS denies the application of an applicant:

1. Who is subject to, living with or married to a person who is subject to the Oklahoma Sex Offenders Registration Act **or**
2. If the applicant or any household member has been convicted at any time for any crime specified in the Sex Offenders Registration Act.

NOTE: The denial occurs whether the conviction is for either a **felony or misdemeanor** offense **including attempts** to commit such crimes. Below are some examples of sex crimes that require registration as a sex offender in Oklahoma:

Automatic Denial	Automatic Denial	Automatic Denial
Child pornography	Lewd or indecent acts or proposals made to a child	Rape, 1st or 2nd degree
Incest	Lewd or indecent proposition	Rape by instrumentation
Indecent exposure	Obscene or indecent writings, pictures, etc.	Sexual abuse or sexual exploitation of any type
Indecent exhibitions	Prostitution: offering/transporting child for that purpose	Sexual assault of any type
Kidnapping of a child, if sexual abuse or sexual exploitation involved	Prostitution: unlawful detainment of child in prostitution house	Transmitting information by computer to instigate sexual conduct with minor
		Trafficking in children

III. ASSESSMENT OF JOLTS HISTORY, CHILD WELFARE HISTORY OR OTHER “CONCERNING” HISTORY:

A. **Child Welfare History:** The Resource Specialist must consult on a case-by-case basis with the Resource Supervisor and Field Manager regarding the approval of a home with CW history, including appeal decisions. The following factors are considered:

1. Nature and seriousness of the CW history;
2. Time elapsed since the CW history;
3. Circumstances of the CW history;
4. Degree of rehabilitation;
5. Risk, if any, to the child by such placement; and
6. Results of appeals, if applicable.

B. **JOLTS information:** The information obtained from a JOLTS search on the child older than 13 years of age living in the applicant's home is used to determine whether that child poses a risk to a child in DHS custody. The Resource Specialist consults on a case-by-case basis with the Resource Supervisor and Field manager regarding approval of a resource home with about any JOLTS history found. The following factors are considered:

1. Nature and seriousness of the JOLTS history;
2. Time elapsed since the JOLTS history;
3. Circumstances of the JOLTS history;
4. Child's ongoing involvement with Office of Juvenile Affairs; and
5. Child's degree of rehabilitation.

C. Other “Concerning” History: This might include a history of protective orders, traffic offenses, money judgments, multiple marriages and divorces, etc.... When the history is related to a safety issue, all reasonably ascertainable court records and law enforcement records are obtained and assessed on a case-by-case basis with the applicable Resource Supervisor and Field Manager before the resource is approved.

1. Nature and seriousness of the concerning history;
2. Time elapsed since the last concerning event;
3. Circumstances of the concerning history; and,
4. How has the applicant resolved the concerning history?

NOTE: A summary of the concerning history is written that addresses the above factors and the summary is scanned and filed in the resource file cabinet.

IV. PROTOCOL TO RESOLVE NON-CONSENSUS:

A. Decision Review Protocol (Bump it up): From time to time there may be disagreement between Resources and Permanency Planning when a resource applicant is being denied based upon criminal, JOLTS, child welfare or other concerning history. When that occurs, the following steps are taken to obtain a resolution:

1. Resource Field Managers and Permanency District Director consult. If disagreement continues,
2. Resource Field Administrator is consulted. If consensus is not reached with Permanency,
3. Bridge and Regional Deputy Directors consult. If consensus is not reached,
4. Child Welfare Services Director is consulted for a final decision.

B. Consult with Legal: Child Welfare lawyers are available to consult about any concerning background information. Feel free to consult with Legal as needed.

Jami Ledoux, CWS Director

cc: Tricia Howell
Jami Majors
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**Appendix F: Proposed MIC Short-Term Core Strategies (6/27/16)
(Updated 07/20/2016)**

Core Strategy 6: Maltreatment in Care (MIC) - Foster Care:

Strategies:

1. Review kinship and foster home cases that have the highest number of referrals, whether screened out or accepted to identify and address any safety concerns or needs of the family or children in placement.
2. Review safety concerns, risk factors, and possible needs of all kinship and foster homes that have more children in placement than approved for, who have not had an overfill request completed.
3. Utilize the data analysis to make adjustments for ongoing supervisory review of foster home studies and reassessments and for determining when higher level reviews are needed. (“this has been moved from Overfilled Homes activity #4 below as we believe this is more of an overall strategy”.)
4. Increase the quality and assessment of ongoing safety in worker visits.

Strategy Activities:

Referrals:

1. Develop a tool for reviewing foster home cases for possible safety issues or risk factors that could lead to maltreatment in care by July 28, 2016.
2. Determine criteria for cases reviewed by July 22, 2016 and complete review by September 15, 2016.
3. Develop strategies for staffing cases that appear to have high levels of risk factors or safety concerns to address the needs of the children and families involved by August 1, 2016.

Overfilled Homes:

1. Develop a tool to assess current foster homes with more children placed than currently showing approved for in KIDS and identify possible services or supports to assist them in caring for the children placed by July 30, 2016.

2. Prioritize homes with more children placed than approved for quarterly visit during the months of July and August 2016.
3. Develop strategies for immediately providing the needed services and supports following the review including engaging leadership if needed by July 22, 2016.

Worker Visits:

1. Assign regional MIC leads and develop a maltreatment in care plan by July 1, 2016.
2. Develop an ongoing safety assessment for regional training for district directors by July 1, 2016.
3. Distribute guidelines for staff regarding what constitutes quality/safety focused worker visits by August 15, 2016.

Appendix G: Placement Stability Assessment Tool

Resource Home: _____ Child: _____

Placement Stabilization Assessment (Circle rating level)
1. Placement Stable- No additional support needed
2. Placement stable- Foster parent reporting issues that are occurring but not putting placement at risk.
3. Placement at risk- Issues currently occurring. Foster parent and child engaged in services to resolve the issues.
4. Placement is unstable- Serious issues identified that is currently jeopardizing the placement. Without intervention, placement will likely disrupt in the next few days.
5. Placement is disrupting - Foster parents have asked that the child be moved.

Action Steps:

1. No action required
2. CWS will assess what, if any additional supports may be required. This could include identifying the approved alternate caregiver to assist the foster family to help reduce the stress in the home.
3. CWS will assess current services to determine effectiveness. CWS will have bi-weekly calls with service providers, resource family and provide supports to stabilize the placement. This will continue until placement is at level 2. Notify Foster Care Worker and Supervisor.
4. CWS will staff with supervisor within one business day. CWS will refer to additional resources to include: CHBS, Embedded Worker, counseling services (or increased), and/or CREOKS wraparound services. No more than five (5) days will lapse before services are implemented. Follow up with foster parent weekly by phone and complete worker visits every other week until stress level decreases to level 2. Notify Foster Care Worker and Supervisor.
5. Staff with supervisor immediately. Contact Crisis Stabilization Unit immediately. Schedule a CSM for the next business day. Notify Foster Care Worker and Supervisor.

Tasks Requiring Follow up:
1.
2.
3.
4.
5.

Child Welfare Worker/Date

Foster Parent/ Date

Appendix H: Core Strategy #4, Pinnacle Measure 6.4

1. Intentional interviewing of 6.4 youth with case plan goal of planned alternative permanent placement initiated by 3/31/16 (initiated on 3/31/16)
 - a) List for each region created and disseminated by 4/15/16 (emails were sent by 4/15/16)
 - b) Short guide created to assist staff in engaging youth in conversations about permanency
 - c) Lists and guides disseminated to regions
 - d) Tracking monthly reported to program staff to ensure youth with PAPP goals had a contact exploring other forms of permanency are documented in KIDS
2. Assignment of regional permanency leads on 4/27/2016 (leads were assigned on 4/27/16)
 - a) Leads will work with Regional Director and District Directors in each region to improve permanency outcomes
 - b) Leads will be assigned to track regional efforts and report these efforts to their Regional Directors monthly
 - c) Monthly conference calls with the regional leads and permanency program staff are scheduled to review progress and changes in outcomes
 - d) Quarterly reporting and in person meetings are scheduled with programs staff and the regional leads to ensure and monitor implementation and progress
3. Creation of regional permanency plans that incorporate the following:
 - a) Assignment of regional permanency leads on 4/27/2016
 - Permanency lead meetings held on 5/11/16, 5/24/16, 8/4/16, 10/6/16
 - b) Initial assessment of regional data. The regional plans and data review are to be completed by July 1st 2016. Rough draft to be completed by June 21st for final approval by Executive Team on 6/22/2016 (approved by Exec Team on 7/6/16)
 - c) Each regional plan will have a minimum of 3 strategies/activities targeting improved outcomes in the designated performance measure
 - d) Agreed Data Sources: YI706, permanency backlog reports, Pinnacle Plan reporting/context data, permanency/exits rates, and the YI101. CQI/QA to provide regional support in analysis of data as needed.
 - e) Baselines and monthly reporting are to be established as part of the initial plan and monitored on a monthly basis
 - f) Adjustments to plan will be made based on changes in permanency outcomes and identification of systemic barriers.
 - g) Steering committee review/approval. Approval to be given for each plan by the Executive Team by 7/1/2016
4. CQI/QA will develop review tools for both the PSC's and quality of case work for legally free youth initiated 5/24/16 (completion date TBD as work is ongoing)

5. Assignment of full time position to engage and support the field in permanency efforts for 6.4 youth on 8/15/2016 (completed on 8/15/16)
6. Case plan goal of adoption prep was disabled for all children in OHC to increase permanency efforts for youth prior to their 16th birthday 9/1/16
 - a) Memo sent 9/13/16 (completed on 9/13/16)
7. Assignment of ATU worker to 6.4 youth with the goal of adoption began in 2014 and all children were assigned by October 2016
8. Implementation of phone consultations with program staff and the worker for all youth within 60 days of their 18th These calls are being extended for all youth on the 6.4 list for the next 3 reporting periods implemented 9/15/16 to replace and supplement activity one and support regional improvement efforts (implemented on 9/15/16 and ongoing)
9. Implementation of calls directly to the youth who have a PAPP goal to assess their needs 9/15/16 (implemented on 9/15/16 and ongoing)

Glossary 1: Acronyms

ATAT	Adoption Timeliness Accountability Team
CANH	Child Abuse and Neglect Hotline
CAP	Corrective Action Plan
CHBS	Comprehensive Home-Based Services
CPS	Child Protective Services
CQI	Department of Human Services Continuous Quality Improvement
CSA	Compromise and Settlement Agreement
CWS³²	Child Welfare Specialist
DDS	Developmental Disabilities Services
DHS	Oklahoma Department of Human Services
FAS	Facility Action Step
FFY	Federal Fiscal Year
FSP	Facility Services Plan
ITS	Instructions to Staff
LD	Laura Dester Shelter (state-operated)
MIC	Maltreatment in Care
MST	Mobile Stabilization Team
NCANDS	National Child Abuse and Neglect Data System
OAYS	Oklahoma Association of Youth Services
OCA	Department of Human Services Office of Client Advocacy
ODMHSA	Oklahoma Department of Mental Health and Substance Abuse

³² CWS additionally is the acronym for Child Welfare Services – the agency within DHS that is charged with improving the safety, permanence and well-being of children and families involved in the Child Welfare system.

OHCA	Oklahoma Health Care Authority
PEM	Pauline E. Mayer Shelter (state-operated)
RFP	Request for Proposals
RFP	Resource Family Placement
PRT	Permanency Roundtable
PSC	Permanency Safety Consultation
SFY	State Fiscal Year
SPPU	Specialized Placements and Partnerships Unit
TFC	Therapeutic foster care
WPC	Written Plan of Compliance
YSA	Youth Services Agency