

GAO

Report to the Chairman, Committee on
Government Reform, U.S. House of
Representatives

May 2003

D.C. CHILD AND FAMILY SERVICES

Better Policy Implementation and Documentation of Related Activities Would Help Improve Performance



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Highlights of [GAO-03-646](#), a report to the Chairman, Committee on Government Reform, House of Representatives

D.C. CHILD AND FAMILY SERVICES

Better Policy Implementation and Documentation of Related Activities Would Help Improve Performance

Why GAO Did This Study

The District of Columbia (D.C.) Child and Family Services Agency (CFSA) is responsible for protecting children at risk of abuse and neglect and ensuring that services are provided for them and their families. GAO was asked to discuss the extent to which CFSA has (1) met requirements of the Adoption and Safe Families Act (ASFA) of 1997 and other selected performance criteria, (2) adopted and implemented child protection and foster care placement policies, and (3) enhanced its working relationship with the D.C. Family Court.

To address these questions, GAO analyzed data from CFSA's child welfare information system, known as FACES; reviewed laws, regulations, and reports; examined case files; and interviewed officials.

What GAO Recommends

To improve CFSA's performance GAO recommends that the Mayor require the Director of CFSA to (1) develop plans to fully implement all ASFA requirements, (2) establish procedures to ensure caseworkers consistently implement all foster care policies, and (3) document in FACES all activities related to active foster care cases.

In commenting on the draft, the Director of CFSA generally agreed with our findings. Although she did not directly address the recommendations, she generally agreed with the areas we identified for continued improvement.

www.gao.gov/cgi-bin/getrpt?GAO-03-646.

To view the full report, including the scope and methodology, click on the link above. For more information, contact Cornelia M. Ashby at (202) 512-8403 or ashbyc@gao.gov.

What GAO Found

CFSA's performance relative to three sets of measures—nine ASFA requirements, eight selected performance criteria and six of the agency's foster care policies—has been mixed. The agency took actions to implement six of the nine ASFA requirements related to the safety and well-being of foster children and met or exceeded four of the eight selected foster care performance criteria, but its plans did not address all requirements not fully implemented and unmet performance criteria. CFSA has established many foster care policies, but caseworkers did not consistently implement the six GAO examined. In addition, FACES lacked data related to four of the policies reviewed for at least 70 percent of its active foster care cases. The following table summarizes the percentage of cases for which the data indicated the policy was implemented.

Implementation of Selected CFSA Foster Care Policies as Documented in FACES

CFSA policy	Foster care cases for which the policy was implemented ^{a, b}
Initiate face-to-face investigation of alleged child abuse or neglect within 24 hours of receiving an allegation on CFSA's child abuse hotline.	26%
Complete a safety assessment within 24 hours of face-to-face contact with the child.	13%
Complete a risk assessment within 30 days of receiving an allegation on the hotline.	73%
Complete an initial case plan within 30 days of a child's entry into foster care.	9%
Arrange needed services for foster care children or their families.	83%

Source: FACES and GAO analysis.

^aWith the exception of the policy to arrange needed services, the analysis is based on 943 foster care cases that were at least 6 months old, as of Nov. 30, 2002. These cases were initiated after FACES came on-line in Oct. 1999. The analysis of the policy to arrange for needed services is based on 1,837 foster care cases and includes cases that pre-dated FACES but for which services were provided after FACES came on-line. Data show the percentage of cases for which caseworkers arranged at least one service.

^bCFSA counted cases that had missing data as instances of caseworker noncompliance with the applicable policy.

CFSA has enhanced its working relationship with the D.C. Family Court, but several factors hindered this relationship. For example, CFSA's top management and Family Court judges talk frequently about foster care case issues. However, differing opinions among CFSA caseworkers and judges about their responsibilities have hindered the relationships. CFSA officials and Family Court judges have been working together to address these hindrances.

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Abbreviations

ASFA	Adoption and Safe Families Act
CFSA	Child and Family Services Agency
HHS	U.S. Department of Health and Human Services
OCC	Office of Corporation Counsel
SACWIS	Statewide Automated Child Welfare Information System
TPR	Termination of Parental Rights

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Accountability * Integrity * Reliability

United States General Accounting Office
Washington, DC 20548

May 27, 2003

The Honorable Tom Davis
Chairman
Committee on Government Reform
House of Representatives

Dear Mr. Chairman:

The District of Columbia's Child and Family Services Agency (CFSA) is responsible for protecting foster care children who have been at risk of abuse and neglect and ensuring that critical services are provided to them and their families. In 2002, CFSA had about 3,000 children in foster care. As a result of a history of poor performance, the U.S. District Court for the District of Columbia placed CFSA in receivership in 1995.¹ To help improve its performance during receivership, CFSA made several changes, including establishing an automated case management system, FACES. In 2000, the District Court issued a consent order establishing a process by which the agency's receivership could be terminated. The order also established a probationary period, which would begin when the receivership ended and identified performance criteria CFSA had to meet in order to end the probationary period. In April 2001, CFSA became a cabinet-level agency within the government of the District of Columbia, in June 2001 the court removed CFSA from receivership, and in October 2001 responsibility for child abuse investigations was transferred from the District's Metropolitan Police Department to CFSA. Additionally, new legislation established requirements that CFSA had to meet. The Adoption and Safe Families Act (ASFA) of 1997 mandated that all child welfare agencies achieve timely placement of children in permanent homes. The U.S. Department of Health and Human Services (HHS) is responsible for setting standards and monitoring the nation's child welfare programs, including assessing compliance with ASFA requirements through its Child

¹The receivership was an arrangement in which the court appointed a person to temporarily manage the agency with broad authority to ensure full compliance with the court order in an expeditious manner.

and Family Services Reviews.² In addition, the District of Columbia Family Court Act of 2001 required CFSA to work closely with the Family Division of the D.C. Superior Court and the District's Office of Corporation Counsel (OCC).³ In September 2002, the court-appointed monitor reported that a child was abused by two children in a group home licensed by CFSA. According to the monitor, this incident, together with the history of inadequate care and attention given this child by CFSA, indicated that its operations and policies, especially those regarding foster care cases, may still need improvement.

You asked us to address the following questions: (1) To what extent did CFSA address the requirements of the Adoption and Safe Families Act of 1997 and meet selected foster care performance criteria and what plans does it have to address unmet requirements and criteria? (2) To what extent has CFSA adopted and implemented foster care policies that are comparable to those generally accepted in the child welfare community, and how has implementation affected foster care children? (3) What has CFSA done to enhance its working relationship with the D.C. Family Court and what factors have affected these efforts?

To address these questions, we selected three sets of measures to assess CFSA's performance. First, we examined CFSA's progress in implementing nine ASFA requirements that were related to the safety and well-being of foster children. Second, we assessed the extent to which CFSA met or exceeded eight selected performance criteria established during its probationary period. Third, we assessed the extent to which caseworkers implemented six foster care policies related to their day-to-day responsibilities. We analyzed data in the District's automated child welfare information system, known as FACES; reviewed laws, regulations, and

²Child and Family Services Reviews, conducted by HHS, cover a range of child and family service programs funded by the federal government, including child protective services, foster care, adoption, independent living, and family support and preservation services. The 2001 review evaluated seven specific safety, permanency, and well-being outcomes for services delivered to children and families served by CFSA. As part of its review, HHS randomly selected 50 active child welfare cases from the period between April 2000 and July 2001.

³The District of Columbia Family Court Act of 2001 (P.L. 107-114), established the Family Court as part of the D.C. Superior Court. The Family Court replaced the Family Division of the D.C. Superior Court. Among other responsibilities, the Family Court handles child abuse and neglect cases, court hearings, and other proceedings for the District's foster children and their families. OCC, among its other responsibilities, provides legal support to CFSA on foster care cases.

reports; examined case files; and interviewed officials. We obtained and analyzed automated data from FACES on all foster care cases that were at least 6 months old as of November 30, 2002. We selected ASFA requirements and CFSA policies directly related to the safety and well-being of foster children. We selected foster care performance criteria from among those CFSA had to meet in order to end the probationary period that, in our judgment, most directly related to the safety and permanent placement of children in foster care. We reviewed federal and local laws, regulations, foster care policies recommended by various organizations, and reports on CFSA's implementation of the District's foster care program and selected CFSA policies that covered several key foster care management functions. We included HHS's evaluation of how CFSA implemented ASFA requirements in our assessment of the agency's performance. We independently verified the reliability of data in FACES; however, CFSA had not entered into FACES detailed information on the data elements we needed for our analysis with respect to about two-thirds of the District's active foster care cases—mostly cases that originated prior to FACES going on-line in October 1999. To obtain information on policy implementation, we also examined foster care case files. We interviewed CFSA executives, managers, and supervisors; Family Court judges, attorneys from OCC; and officials from organizations that recommend policies applicable to child welfare programs. We conducted our work between September 2002 and May 2003 in accordance with generally accepted government auditing standards. See appendix I for additional information on our scope and methodology.

Results in Brief

CFSA undertook actions to implement six of nine ASFA requirements directly related to the safety and well-being of foster care children and met or exceeded four of eight selected foster care performance criteria, but its plans do not address all requirements that were not fully implemented and selected performance criteria that were not met. For example, CFSA signed an interim border agreement to help achieve timelier placement of District children in Maryland, which addresses ASFA's requirement to use cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children. However, HHS's review of the District found that CFSA did not fully implement ASFA's requirements to initiate or join proceedings to terminate the rights of parents whose children are in foster care, conduct annual hearings to review permanency goals for children every 12 months, and provide participants a notice of reviews and hearings. The selected foster care performance criteria CFSA met or exceeded included the criteria that prohibit leaving children in emergency care for more than 90 days and that require placing children in foster care

with one or more of their siblings. The criteria that CFSA did not meet included the requirements regarding the frequency of caseworker visits with children in foster care and the minimum percentage of foster care children that must be placed in foster homes with valid licenses. CFSA has written plans that address most of the unmet ASFA requirements and selected performance criteria. The unmet requirements and performance criteria not addressed in the plans are those related to providing timely notification of all reviews and hearings to families with children in foster care and to reducing the number of children in foster care who, for 18 months or more, have had a permanency goal to return home. Agency officials cited staffing shortages and external demands, such as coordinating work with other agencies, as factors that hindered the agency's ability to fully meet the ASFA requirements and performance criteria. However, unless these requirements and criteria are met a child's safety may be jeopardized, the time a child spends in foster care may be prolonged, or the best decisions regarding a child's future well-being may not be reached.

While CSFA has adopted many foster care policies similar to those recommended for child welfare programs, caseworkers did not consistently implement the six we examined, potentially leaving children subject to continued abuse or neglect or delaying efforts to achieve permanent and safe placements. In those cases for which data were available, we found that the extent to which CFSA implemented selected foster care policies varied. For example, caseworkers implemented the policy requiring initial case plans to be completed within 30 days of a child's entry into foster care in 9 percent of the cases, and they implemented the policy that children and their families receive needed services in 83 percent of the cases. While timeframes for initiating investigations and completing safety assessments improved between 2000 and 2002, caseworkers still took considerably longer than the prescribed time limits to complete these tasks. Caseworkers and managers said that the policies were not always implemented because of limited staff and competing demands, such as making visits to children or participating in court proceedings. In addition, CFSA's automated system lacked data on four of the six policies for at least 70 percent of its active foster care cases. Complete, accurate, and timely case management data enables caseworkers to quickly learn about new cases, supervisors to know the extent to which caseworkers are completing their tasks, and managers to know whether any aspects of the agency's operations are in need of improvement. Without information on all cases, caseworkers do not have a readily available summary of the child's history, which may be critical to know when making plans about the child's care. Additionally,

without information on all cases, managers do not have information needed to assess program operations and make improvements, if needed.

CFSA has enhanced its working relationship with the D.C. Family Court by working more collaboratively, and several factors have strengthened or hindered these relationships. For example, CFSA, the Family Court, and other District agencies have participated on various committees to address interagency operations affecting children and families served by CFSA and involved in cases before the court. In addition, since 2002, attorneys from OCC have been located at CFSA and work closely with caseworkers to help them prepare for court appearances. Support from top CFSA management and Family Court judges has been a key factor in improving these relationships. However, CFSA officials and Family Court judges noted several hindrances that constrain CFSA's efforts to enhance its working relationship with the Family Court. These hindrances include the need for caseworkers to balance court appearances with other case management responsibilities, an insufficient number of caseworkers, caseworkers who are unfamiliar with cases that have been transferred to them, and differing opinions about the responsibilities of CFSA caseworkers and judges.

To improve CFSA's management of the foster care program and outcomes for children in the District of Columbia, we recommend that the Mayor require the Director of CFSA to (1) develop plans to fully implement all unmet ASFA requirements, (2) establish procedures to ensure that caseworkers consistently implement all foster care policies, and (3) document in FACES all events related to active foster care cases.

The Director of CFSA, on behalf of the District's Deputy Mayor for Children, Youth, Families, and Elders provided written comments on a draft of this report. In commenting on the draft, the Director generally agreed with our findings. Although the CFSA Director did not directly address the recommendations, she generally agreed with the areas we identified for continued improvement. Additionally, she suggested several changes to help clarify the report, which we incorporated as appropriate. The comments are discussed in the report and are shown in appendix II.

Background

While CFSA is responsible for protecting thousands of foster care children, many children in CFSA's care languished for extended periods of time due to managerial shortcomings and long-standing organizational divisiveness in the District of Columbia. As a result of these deficiencies, the U.S. District Court for the District of Columbia issued a remedial order in 1991 to improve the performance of the agency. Under a modified final

order established by the court in 1993, CFSA was directed to comply with many requirements. In 1995, lacking sufficient evidence of program improvement, the agency was removed from the District's Department of Human Services and placed in receivership. Among its efforts to improve agency performance, CFSA established an automated system, FACES, to manage its caseload. The District Court issued a consent order in 2000 establishing a process by which the agency's receivership could be ended. The order also established a probationary period, which began when the receivership ended, and identified performance standards CFSA had to meet in order to end the probationary period. The court-appointed monitor, the Center for the Study of Social Policy, was to assess CFSA's performance and had discretion to modify the performance standards. In April 2001, CFSA became a cabinet-level agency within the government of the District of Columbia. In June 2001, the court removed CFSA from the receivership and its probationary period began. In October 2001, responsibility for child abuse investigations was transferred to CFSA from the District's Metropolitan Police Department. CFSA's probationary period ended in January 2003.

However, in September 2002, the court-appointed monitor reported that a 7-year old boy was abused by two children in a group home that CFSA had licensed to provide care for 9-21 year olds. The report also identified several actions CFSA took or failed to take and concluded that the child was not adequately protected or served by CFSA. For example, contrary to its policies, CFSA did not place the child with his sibling, and there was no evidence that CFSA assessed his social, emotional, or behavioral needs. According to the court-appointed monitor, these events indicated that CFSA's operations and policies may still need improvement.

CFSA operates in a complex child welfare system.⁴ Several federal laws, local laws, and regulations established goals and processes under which CFSA must operate. ASFA, with one of its goals to place children in permanent homes in a timelier manner, placed new responsibilities on all child welfare agencies nationwide. ASFA introduced new time periods for moving children toward permanent, stable care arrangements and established penalties for noncompliance. For example, ASFA requires child welfare agencies to hold a permanency planning hearing—during which the court determines the future plans for a child, such as whether

⁴We issued several reports that addressed CFSA operations and program plans. For more information, see related GAO products at the end of this report.

the state should continue to pursue reunification with the child's family or some other permanency goal—not later than 12 months after the child enters foster care. The District of Columbia Family Court Act of 2001 established the District's Family Court and placed several requirements on the District's Mayor and various District government agencies, including CFSA and OCC. The District of Columbia Family Court Act requires the Mayor, in consultation with the Chief Judge of the Superior Court, to ensure that CFSA and other District government agencies coordinate the provision of social services and other related services to individuals served by the Family Court.

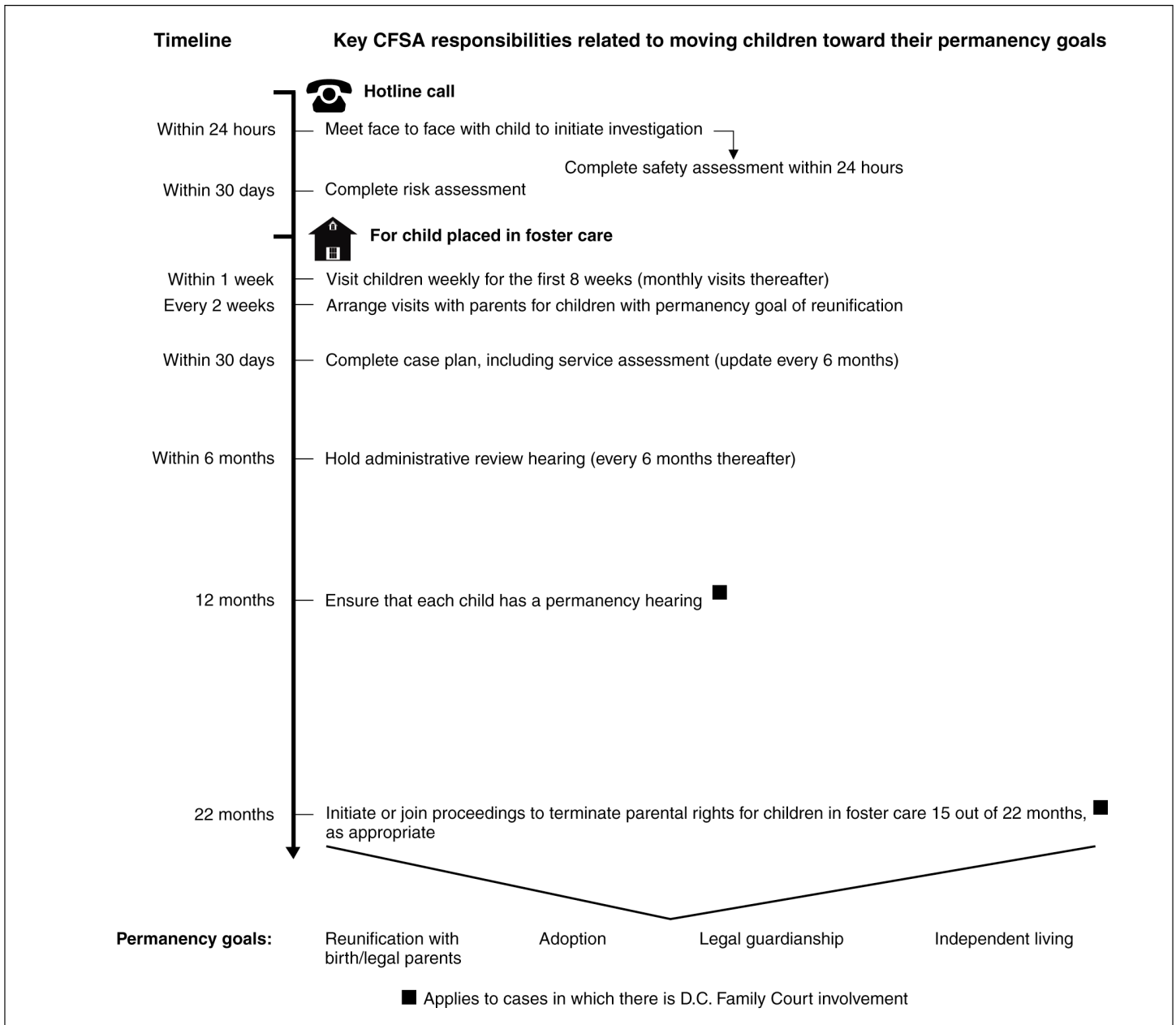
CFSA relies on services provided by other District government agencies. For example, both the Fire Department and the Health Department inspect facilities where children are placed, and D.C. Public Schools prepare individual education plans for some foster care children. CFSA also works with agencies in Maryland, Virginia, and other states to arrange for placements of District children and also works with private agencies to place children in foster and adoptive homes. In addition, CFSA is responsible for licensing and monitoring organizations with which it contracts, including group homes that house foster care children.

The management of foster care cases involves several critical steps required by CFSA policy. (See fig. 1.) Typically, these cases begin with an allegation of abuse or neglect reported to the CFSA child abuse hot line. CFSA staff are required to investigate the allegations through direct contact with the reported victim. If required, the child may be removed from his or her home, necessitating various court proceedings handled by the District's Family Court. CFSA caseworkers are responsible for managing foster care cases by developing case plans; visiting the children; participating in administrative review hearings involving CFSA officials, children, parents, and other officials; attending court hearings; and working with other District government agencies. CFSA caseworkers are also responsible for documenting the steps taken and decisions made related to a child's safety, well-being, and proper foster care placement, as well as those related to developing the most appropriate goal for permanency. Depending on their circumstances, children leave foster care and achieve permanency through reunification with their birth or legal parents, adoption, legal guardianship with a relative, or independence.⁵ As

⁵Independent living arrangements may be attained once a child, who has not been reunified with his family or adopted, reaches the age of 18 or, in some jurisdictions, 21 and for whom federal reimbursement for foster care expenditures is no longer available.

of September 2002, a child's length of stay in the District's foster care program averaged 2.8 years.

Figure 1: CFSA Responsibilities Related to Permanency Goals



Source: CFSA's policy manual and GAO analysis.

HHS is responsible for setting standards and monitoring the nation's child welfare programs. In fiscal year 2001, about \$6.2 billion in federal funds were appropriated to HHS for foster care and related child welfare services. HHS's monitoring efforts include periodic reviews of the operations, known as Child and Family Services Reviews, and of the automated systems, known as Statewide Automated Child Welfare Information System (SACWIS) Reviews, in the states and the District of Columbia. HHS last reviewed CFSA's child welfare information system in 2000 and its overall program in 2001.

**CFSA Undertook
Actions to Implement
Most ASFA
Requirements
Reviewed and Met
Half of the Selected
Performance Criteria
for Child Safety and
Well-Being**

CFSA undertook actions to implement six of the nine ASFA requirements we reviewed and met or exceeded four of the eight performance criteria included in our study, but as of March 2003, its plans to improve its performance did not include all ASFA requirements not fully implemented or selected performance criteria. With regard to implementing ASFA requirements, for example, CFSA signed a border agreement to achieve more timely placement of District children in Maryland, which addresses the ASFA requirement to use cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children. Table 1 summarizes CFSA's progress in implementing the nine ASFA requirements that we reviewed.

Table 1: CFSA’s Progress in Implementing Nine ASFA Requirements

ASFA requirements CFSA has implemented	ASFA requirements CFSA has not fully implemented
1. Include the safety of the child in state case planning and in a case review system.	1. Initiate or join proceedings to terminate parental rights for certain children in foster care—such as those who have been in foster care for 15 of the most recent 22 months of care.
2. Comply with requirements for criminal background clearances and have procedures for criminal record checks.	2. Provide participants a notice of reviews and hearings and an opportunity to be heard.
3. Develop a case plan documenting steps taken to provide permanent living arrangements for a child.	3. Conduct mandatory permanency hearings every 12 months for a child in foster care.
4. Develop plans for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.	
5. Provide for health insurance coverage for children with special needs in state plans for foster care and adoption assistance.	
6. Incorporate standards to ensure quality services for children in foster care in state plans.	

Source: ASFA and HHS’s CSFR and GAO analysis.

Note: Our assessment of CFSA’s progress in implementing three requirements—include the safety of the child in case planning, develop a case plan documenting steps taken to provide permanent living arrangement for a child, and provide for health insurance coverage for children with special needs—is based on data and information provided to us. Our assessment of CFSA’s progress in implementing the remaining ASFA requirements is based on HHS’s review of CFSA.

HHS’s review of CFSA found that the agency did not meet three requirements. CFSA did not consistently petition the Family Court to terminate parental rights when returning the child to his or her family had been deemed inappropriate and the child had been in foster care for 15 of the last 22 months. Based on its review of 50 foster care cases, HHS reported that 54 percent of the children who were in care longer than 15 months did not have hearings initiated for the termination of parental rights and reasons for not initiating such hearings were not documented in the case plan or court order. HHS also found that not all cases had hearings to review a child’s permanency goal within the timeframe prescribed by ASFA. In addition, foster parents, relative caretakers, and pre-adoptive parents were not consistently notified of reviews or hearings held on behalf of the foster child. HHS found that not all caregivers and prospective caregivers were notified of the time and place of a hearing, if such notification took place at all.

We also analyzed automated data from FACES related to eight foster care performance criteria and found that CFSA met or exceeded four of them. For example, one criterion requires 60 percent of children in foster care to be placed with one or more of their siblings; we found that as of November 30, 2002, 63 percent of children were placed with one or more siblings. The areas in which CFSA's performance fell short were the criteria related to (1) caseworker visitation with children in foster care, (2) placement of children in foster homes with valid licenses, (3) progress toward permanency for children in foster care, and (4) parental visits with children in foster care who had a goal of returning home. For example, none of the 144 children placed in foster care during the 2-month period prior to November 30, 2002, received required weekly visits by a CFSA caseworker. Table 2 summarizes our analysis of the selected foster care performance criteria.

Table 2: Analysis of Selected Foster Care Performance Criteria

Foster care performance criteria		Analysis
1. Current case plans for foster care cases. Forty-five percent of foster care cases have current case plans.	Met	As of September 30, 2002, 46 percent of foster care cases had current case plans.
2. Visitation between children in foster care and their parents. Thirty-five percent of cases in which children have a permanency goal of return home have parental visits at least every 2 weeks.	Not met	As of November 30, 2002, 1 percent of children with a return home goal had parental visits at least every 2 weeks.
3. Social worker visitation with children in foster care. Twenty-five percent of children in foster care have weekly visits with social workers in their first 8 weeks of care; 35 percent of all children in foster care have at least monthly visits.	Not met	As of November 30, 2002, no children had weekly visits and at least 98 percent of children did not have monthly visits with a caseworker. ^a
4. Appropriate legal status for children in foster care. No child in emergency care for more than 90 days.	Met	As of November 30, 2002, no children in emergency care more than 90 days.
5. Current and valid foster home licenses. Seventy-five percent of children are placed in foster homes with valid licenses.	Not met	As of November 30, 2002, 47 percent of children were in foster homes with valid licenses.
6. Progress toward permanency. No more than 10 percent of children in foster care have a permanency goal of return home for more than 18 months.	Not met	As of November 30, 2002, 30 percent of children had a permanency goal of return home more than 18 months.
7. Foster care placement with siblings. Sixty percent of children in foster care are placed with one or more of their siblings.	Met	As of November 30, 2002, 63 percent of children were placed with one or more siblings.
8. Placement stability. No more than 25 percent of children in foster care as of May 31, 2002, have had three or more placements.	Met	As of November 30, 2002, 21 percent of children had three or more placements.

Source: GAO analysis.

^aFor 2 percent of the children, caseworker visits equaled or exceeded the number of months in placement. However, CFSA's data did not allow us to determine when caseworkers visited children or if they visited children each month.

CFSA's Program Improvement Plan, a plan required by HHS to address those areas determined not met in a CFSR, identifies how it will address two of the unmet ASFA requirements—(1) to initiate or join proceedings

to terminate parental rights (TPR) of certain children in foster care and (2) to ensure that children have a permanency hearing every 12 months after entering foster care. For example, CFSA has outlined steps to improve its filings of TPR petitions with the Family Court. To help facilitate this process, CFSA hired additional attorneys to expedite the TPR proceedings. The new attorneys have been trained in ASFA requirements and in the process for referring these cases to the Family Court. CFSA is also developing a methodology for identifying and prioritizing cases requiring TPR petitions. In another plan, the April 2003 Implementation Plan, CFSA states that it will redesign its administrative review process to improve, among other things, notification and attendance of relevant parties and to provide for a comprehensive review of case progress, permanency goals, and adequacy of services.⁶ However, this plan does not make it clear whether all applicable hearings and proceedings will be included, such as permanency hearings.

Another CFSA plan, the Interim Implementation Plan, includes measures that were developed to show the agency's plans for meeting the requirements of the modified final order issued by the U.S. District Court for the District of Columbia. This plan includes actions to address three of the four performance criteria the agency did not meet—visits between children in foster care and their parents, social worker visitation with children in foster care, and placement of children in foster homes with current and valid licenses. The plan states that, for new contracts, CFSA will require its contactors to identify community sites for parental visits to help facilitate visits between children in foster care and their parents. The plan also indicates that CFSA will concentrate on the recruitment and retention of caseworkers. According to CFSA officials, caseworkers would have more time for quality casework, including visitation with children, parents, and caregivers, once they hire more caseworkers. Additionally, the plan established a goal to have 398 unlicensed foster homes in Maryland licensed by December 31, 2002. According to an agency official, 104 of these foster homes remained unlicensed as of May 14, 2003. However, CFSA does not have written plans that address the performance criterion to reduce the number of children in foster care who, for 18 months or more, have had a permanency goal to return home. Without complete plans for improving performance for all measures, CFSA's ability

⁶In April 2003, the court-appointed monitor submitted an implementation plan containing additional performance measures to the U.S. District Court for its approval. The plan established goals CFSA must meet by 2006. The U.S. District Court approved the plan in May 2003.

to comply with the ASFA requirements and meet the selected performance criteria may be difficult. Furthermore, unless these requirements and criteria are met, the time a child spends in foster care may be prolonged, or the best decisions regarding a child's future well-being may not be reached.

CFSA officials cited several factors that hindered their ability to fully implement the ASFA requirements and meet the selected performance criteria, including court-imposed requirements, staffing shortages, and high caseloads. For example, program managers and supervisors said that the new court-imposed mediation process intended to address family issues without formal court hearings places considerable demands on caseworkers' time. The time spent in court for mediation proceedings, which can be as much as 1 day, reduces the time available for caseworkers to respond to other case management duties, such as visiting with children in foster care. Furthermore, managers and supervisors reported that staffing shortages have contributed to delays in performing critical case management activities, such as identifying cases for which attorneys need to file TPR petitions. However, staffing shortages are not a unique problem to CFSA. We recently reported that caseworkers in other states said that staffing shortages and high caseloads had detrimental effects on their abilities to make well-supported and timely decisions regarding children's safety.⁷ We also reported that as a result of these shortages, caseworkers have less time to establish relationships with children and their families, conduct frequent and meaningful home visits, and make thoughtful and well-supported decisions regarding safe and stable permanent placements.

⁷U.S. General Accounting Office, *Child Welfare: HHS Could Play a Greater Role in Helping Child Welfare Agencies Recruit and Retain Staff*, [GAO-03-357](#) (Washington, D.C.: Mar. 31, 2003).

CFSA Has Established Many Foster Care Policies but Lacks Others, and the Extent of Implementation and Documentation Varies

CSFA has established many foster care policies, but caseworkers did not consistently implement the six we selected. These policies covered the range of activities involved in a foster care case, but did not duplicate those examined in our review of the AFSA requirements or the selected foster care performance criteria. In addition, CFSA's automated system lacked data on four of the six policies we examined for at least 70 percent of its active foster care cases. Without information on all cases, caseworkers do not have a readily available summary of the child's history needed to make decisions about a child's care and managers do not have information needed to assess and improve program operations.

CSFA Has Established Many Foster Care Policies, but Caseworkers Did Not Consistently Implement Those We Selected

While we previously reported in 2000⁸ that CFSA lacked some important child protection and foster care placement policies, CFSA has now established many such policies and most are comparable to those recommended by organizations that develop standards applicable to child welfare programs. For example, CFSA has policies for investigating allegations of child abuse, developing case plans, and establishing permanency goals for foster children. In addition, one policy is more rigorous than suggested standards. Specifically, CFSA's policy requires an initial face-to-face meeting with children within 24 hours of reported abuse or neglect, while the suggested standard is 24 to 48 hours or longer, depending on the level of risk to the child's safety and well-being. However, CFSA does not have some recommended policies, namely those addressing (1) written time frames for arranging needed services for children and families (e.g., tutoring for children and drug treatment for family members); (2) limits on the number of cases assigned to a caseworker, based on case complexity and worker experience; and (3) procedures for providing advance notice to each person involved in a case about the benefits and risks of services planned for a child and alternatives to those services. CFSA managers said that the agency had not established these policies because agency executives gave priority to complying with court-ordered requirements.

CFSA did not consistently implement the policies we examined. We selected six policies that did not duplicate those examined in our review of the AFSA requirements or the selected foster care performance criteria in order to cover most of the case management duties and responsibilities.

⁸U.S. General Accounting Office, *District of Columbia Child Welfare: Long-Term Challenges in Ensuring Children's Well-Being*, GAO-01-191 (Washington, D.C.: Dec. 29, 2000) and *Foster Care: Status of the District of Columbia's Child Welfare System Reform Efforts*, GAO/T-HEHS-00-109 (Washington, D.C.: May 5, 2000).

CFSA could not provide automated data regarding the implementation of one policy requiring administrative review hearings every 6 months.⁹ As for the remaining five policies, data in FACES indicate that caseworkers' implementation of them varied considerably. Table 3 summarizes these five policies and the percentage of cases for which the data indicated the policy was implemented.

Table 3: Implementation of Selected CFSA Foster Care Policies as Documented in FACES

Policy	Percent of foster care cases for which the policy was implemented^{a, b}
Initiate face-to-face investigation of alleged child abuse or neglect within 24 hours of receiving an allegation on CFSA's child abuse hotline.	26
Complete a safety assessment within 24 hours of face-to-face contact with the child.	13
Complete a risk assessment within 30 days of receiving an allegation on the hotline.	73
Complete an initial case plan within 30 days of a child's entry into foster care.	9
Arrange needed services for foster care children or their families.	83

Source: FACES data and GAO analysis.

^aWith the exception of the policy to arrange needed services, the analysis is based on 943 foster care cases that were at least 6 months old, as of November 30, 2002. These cases were initiated after FACES came on-line in October 1999. The analysis of the policy to arrange for needed services is based on 1,837 foster care cases and includes cases that predated FACES but for which services were provided after FACES came on-line. Data show the percentage of cases for which caseworkers arranged at least one service.

^bCFSA counted cases that had missing data as instances of caseworker noncompliance with the applicable policy.

The policies related to initiating face-to-face investigations and completing safety assessments are particularly critical to ensuring children's safety. CFSA's policy requires caseworkers to initiate an investigation of alleged child abuse or neglect within 24 hours of the call to CFSA's hot line through face-to-face contact with the child. Also, caseworkers are required to complete a safety assessment within 24 hours of the face-to-face contact with the child. While it took CFSA caseworkers considerably

⁹Administrative review hearings are held to make decisions about a child's permanent placement. They generally involve foster care children, family members, CFSA caseworkers, attorneys, and others with a role in the future well-being of the child.

longer than the time specified in the policy to take these actions in some cases, CFSA's performance has improved. CFSA has reduced the average time it takes to make contacts and complete the assessments. In 2000, it took caseworkers an average of 18 days to initiate a face-to-face investigation, whereas in 2002 the average was 2 days. Similarly, caseworkers took an average of 30 days to complete safety assessments in 2000, whereas the average time declined to 6 days in 2002. Although there were cases that took much longer than the 24-hour limits, there were fewer in 2002 than in 2000. CFSA caseworkers took 5 or more days to initiate a face-to-face investigation for 61 cases in 2000, and for 16 cases in 2002. Table 4 summarizes the number of cases for which caseworkers took 5 or more days to initiate investigations and complete safety assessments from 2000 through 2002.

Table 4: Number of Cases Taking 5 or More Days to Implement Policy (2000-2002)

Policy	Fiscal Year			Total
	2000	2001	2002	
Initiate face-to-face investigation of alleged child abuse or neglect within 24 hours of receiving an allegation.	61	66	16	143
Complete a safety assessment within 24 hours of face-to-face contact with child.	101	122	50	273

Source: FACES data and GAO analysis.

We also reviewed case files and examined related data from FACES for 30 foster care cases to assess compliance with policies requiring timely case planning, periodic administrative review hearings, and arrangements for needed services. The case files we reviewed were often voluminous, inconsistently organized, and contained information that was not always traceable to data entered in FACES. Our review found that case plans were not routinely completed within 30 days, as required by CFSA policy. The FACES data provided subsequent to our case file review supported this assessment.

We also found that for almost half of the cases we examined administrative review hearings, which are held to ensure that key stakeholders are involved in decisions about a child's permanent placement, were rescheduled, resulting in their being held less frequently than required by CFSA policy. CFSA policy requires that these hearings be held every 6 months, and FACES automatically schedules them to occur 6 months after the most recent hearing. However, CFSA officials are unable to track how frequently they are rescheduled or the length of time between hearings because the system overrides the dates of prior

hearings. Agency officials explained that changes have been made to FACES to enable them to track how many times an administrative review is re-scheduled. Long delays between administrative review hearings could mean delays in getting children into permanent placement. As for arranging needed services, we could not determine from case files or FACES whether services recommended by caseworkers were approved by supervisors or if all needed services were provided. The FACES data indicate that at least one service was provided for 83 percent of the cases, but do not include a complete record of all services caseworkers determine to be needed, nor do they indicate whether the services were provided on a timely basis.

Officials said that several factors affected the implementation of some of the policies we reviewed. Caseworkers' supervisors and managers explained that, generally, the policies were not always implemented because of limited staff and competing demands, and the policies were not documented because some caseworkers did not find FACES to be user friendly. Agency officials explained that, in part, the data on the implementation of the initial investigations and safety assessment reflected a change in who was responsible for the initial investigation of child abuse cases. Until October 2001, the District's Metropolitan Police Department had this responsibility and data on initial investigations were not entered into FACES. CFSA now has responsibility for both child abuse and neglect investigations. Further, program managers and supervisors said that several factors contributed to the time frames required to initiate face-to-face investigations, including difficulty in finding the child's correct home address, contacting the child if the family tries to hide the child from investigators, and even obtaining vehicles to get to the location. Regarding administrative review hearings, the records indicate that they were rescheduled for a variety of reasons, such as the caseworker needing to appear at a hearing for another case or the attorney not being able to attend the hearing. Managers also said that the data on service delivery was not always entered into FACES because caseworkers sometimes arranged services by telephone and did not enter the data into FACES.

CFSA officials said that they recently made changes to help improve the implementation of some of the policies we reviewed. They said that CFSA has focused on reducing the number of cases for which a risk assessment had not been completed and has reduced the number of these investigations open more than 30 days from 807 in May 2001 to 263 in May 2002. CFSA officials said that they also anticipate a reduction in the number of administrative review hearings that are rescheduled. They said the responsibility for notifying administrative review hearing participants

about a scheduled hearing was transferred from caseworkers to staff in CFSA's administrative review unit, and they intend to provide notification well in advance of the hearings. Additionally, another official said that CFSA has begun testing a process to ensure that all needed services are provided within 45 days.

Such improvements are needed because without consistently implementing policies for timely investigations and safety and risk assessments, a child may be subject to continued abuse and neglect. Delays in case plan preparation and in holding administrative review hearings delay efforts to place children in permanent homes or reunite them with their families. Further, without knowing whether children or families received needed services, CFSA cannot determine whether steps have been taken to resolve problems or improve conditions for children in its care, which also delays moving children toward their permanency goals.

CFSA Has Established Policies and Goals for Group Homes

In addition to its policies for managing cases, CFSA has policies for licensing and monitoring group homes, plans for training staff in group homes, and a goal to reduce the number of young children in group homes. CFSA's policies for group homes are based primarily on District regulations that went into effect July 1, 2002. For example, the regulations prohibited CFSA from placing children in an unlicensed group home as of January 1, 2003. According to CFSA officials, as of March 2003, all CFSA group homes were licensed, except one, and CFSA was in the process of removing children from that home. CFSA plans to monitor group homes by assessing their compliance with contractual provisions and licensing requirements. CFSA also plans to provide training to group home staff to make it clear that, as District regulations require, any staff member who observes or receives information indicating that a child in the group home has been abused must report it. Further, CFSA has a goal to reduce the number of children under 13 who are placed in group homes. According to agency officials, CFSA has reduced the number of children under 13 in group homes from 128 in August 2002 to 70 as of February 2003 and has plans to reduce that number even further by requiring providers of group home care to link with agencies that seek foster care and adoptive families.

CFSA's Automated System Lacked Data on Many Foster Care Cases

In our efforts to assess CFSA's implementation of the selected foster care policies related to the safety and well-being of children as shown in table 3, we determined that FACES lacked data on many active foster care cases. In December 2000, we reported that FACES lacked complete case information, and caseworkers had not fully used it in conducting their daily casework.¹⁰ During our most recent review, we determined that FACES lacked data on four of six foster care policies for at least 70 percent of its active foster care cases.¹¹ Of the 2,510 foster care cases at least 6 months old as of November 30, 2002, data were not available for 1,763. CFSA officials explained that all of these cases predated FACES, and the previous system was used primarily to capture information for accounting and payroll purposes, not for case management. Top agency managers said that CFSA does not plan to make it an agency priority to transfer information kept in paper files for cases that predated FACES into the system. Additionally, FACES reports show that data were not available on many of the cases that entered the foster care system after FACES came on line. For example, complete data on the initiation of investigations and completion of safety assessments were not available for about half of the 943 cases that entered the foster care system after FACES came on line. CFSA officials explained that they intend to focus on improving a few data elements at a time for current and future events.

Having systems that provide complete and accurate data is an important aspect of effective child welfare programs. HHS requires all states and D.C. to have an automated child welfare information system. These systems, known as SACWIS, must be able to record data related to key child welfare functions, such as intake management, case management, and resource management. In its review of FACES, HHS found CFSA's system was in compliance with most of the requirements and identified several that needed improvement, including the requirements to prepare and document service/case plans and to conduct and record the results of

¹⁰U.S. General Accounting Office, *District of Columbia Child Welfare: Long-Term Challenges to Ensuring Children's Well-Being*, GAO-01-191 (Washington, D.C.: Dec. 29, 2000).

¹¹The four policies for which FACES lacked data included (1) initiate face-to-face investigation of alleged child abuse or neglect within 24 hours of receiving an allegation on CFSA's child abuse hotline, (2) complete a safety assessment within 24 hours of face-to-face contact with the child, (3) complete a case plan within 30 days of a child's entry into foster care, and (4) schedule and attend administrative review hearings every 6 months.

case reviews.¹² According to a CFSA official, D.C. responded to the HHS report and made changes to address most of the findings. He said that the changes included redesigning the FACES screens documenting service/case plans and the results of case reviews. These changes were made in collaboration with caseworkers to help improve usability.

In addition to the standards and requirements established by HHS for all child welfare systems, the modified final order requirements established by the U.S. District Court for the District of Columbia direct CFSA to produce management data and many reports on their operations. For example, the modified final order requires that CFSA be able to produce a variety of data such as, the number of children (1) for whom a case plan was not developed within 30 days, (2) with a permanency goal of returning home for 12 months or more, and (3) placed in a foster home or facility who have been visited at specified intervals.

Complete, accurate, and timely case management data enables caseworkers to quickly learn about new cases, supervisors to know the extent that caseworkers are completing their tasks, and managers to know whether any aspects of the agency's operations are in need of improvement. Child welfare automated systems need to have complete case data to help ensure effective management of child welfare programs. A child welfare expert said that there is a great need to transfer information from old case records to new automated systems. For example, the expert said that records of older teens have been lost, and, with them, valuable information such as the identity of the children's father. Without data in FACES, CFSA's caseworkers will have to look for paper records in the case files, some of which are voluminous. This file review effort is much more time-consuming than reviewing an automated report and as a result, when cases are transferred to new caseworkers, it requires more time for them to become familiar with cases.

¹²HHS completed its SACWIS assessment review of FACES in June 2000. The purpose of this review is to assess whether the child welfare information system performs functions that are important to meeting the minimal requirements.

CFSA Has Enhanced Its Working Relationship with the D.C. Family Court by Working Collaboratively, but Hindrances Remain

CFSA has enhanced its working relationship with the D.C. Family Court by working more collaboratively, but several factors have hindered these relationships. By participating in committees and training sessions, collocating OCC attorneys with caseworkers, and communicating frequently, CFSA has enhanced its working relationship with the Family Court. CFSA participates in various planning committees with the Family Court, such as the Implementation Planning Committee, a committee to help implement the District of Columbia Family Court Act of 2001. CFSA caseworkers have participated in training sessions that include OCC attorneys and Family Court judges. These sessions provide all parties with information about case management responsibilities and various court proceedings, with the intent of improving and enhancing the mutual understanding about key issues. Additionally, CFSA assigned a liaison representative to the Family Court who is responsible for working with other District agency liaison representatives to assist social workers and case managers in identifying and accessing court-order services for children and their families at the Family Court. Also, since 2002, OCC attorneys have been located at CFSA and work closely with caseworkers. This arrangement has improved the working relationship between CFSA and the Family Court because the caseworkers and the attorneys are better prepared for court appearances. Furthermore, senior managers at CFSA and the Family Court communicated frequently about day-to-day operations as well as long-range plans involving foster care case management and related court priorities, and on several occasions expressed their commitment to improving working relationships.

However, CFSA officials and Family Court judges also noted several hindrances that constrain their working relationship. These hindrances include the need for caseworkers to balance court appearances with other case management duties, an insufficient number of caseworkers, caseworkers who are unfamiliar with cases that have been transferred to them, and differing opinions about the responsibilities of CFSA caseworkers and judges. For example, although CFSA caseworkers are responsible for identifying and arranging services needed for children and their families, some caseworkers said that some Family Court judges overruled their service recommendations. Family Court judges told us that they sometimes made decisions about services for children because they believe caseworkers did not always recommend appropriate ones or provide the court with timely and complete information on the facts and circumstances of the case. Furthermore, the Presiding Judge of the Family court explained that it was the judges' role to listen to all parties and then make the best decisions by taking into account all points of view. Caseworkers and judges agreed that appropriate and timely decisions

about services for children and their families are important ones that can affect a child's length of stay in foster care.

CFSA officials and Family Court judges have been working together to address some of the hindrances that constrain their working relationship. CFSA managers said that scheduling of court hearings has improved. According to agency officials, in March 2003, CFSA began receiving daily schedules from the Family Court with upcoming hearing dates. This information allows caseworkers to plan their case management duties such that they do not conflict with court appearances. Also, as of March 2003, court orders were scanned into FACES to help ensure that caseworkers and others involved with a case have more complete and accurate information. To help resolve conflicts about ordering services, CFSA caseworkers and Family Court judges have participated in sessions during which they share information about their respective concerns, priorities, and responsibilities in meeting the needs of the District's foster care children and their families.

Conclusions

CFSA has taken steps to implement several ASFA requirements, met several performance criteria, developed essential policies, and enhanced its working relationship with the Family Court. In addition, CFSA has implemented new group home policies, improved the average time caseworkers took to implement certain policies and undertaken initiatives, in conjunction with the Family Court, to improve the scheduling of court hearings. However, CFSA needs to make further improvements in order to ensure the protection and proper and timely placement of all of the District's foster care children. By implementing all ASFA requirements, meeting the performance criteria and effectively implementing all policies, CFSA will improve a child's stay in the foster care system and reduce the time required to attain permanent living arrangements. Furthermore, complete, accurate, and timely case management data will enable caseworkers to quickly learn about new cases and the needs of children and their families, supervisors to know the extent to which caseworkers are completing all required tasks, and managers to know whether any critical aspects of the agency's operations are in need of improvement. Without automated information on all cases, caseworkers do not have a readily available summary of the child's history, which may be critical to know when making plans about the child's safety, care, and well-being.

Recommendations

To improve CFSA's performance and outcomes for foster care children in the District of Columbia, we recommend that the Mayor require the Director of CFSA to (1) develop plans to fully implement all ASFA

requirements; (2) establish procedures to ensure that caseworkers consistently implement foster care policies; and (3) document in FACES all activities related to active foster care cases, including information from paper case files related to the history of each active foster care case.

Agency Comments and Our Evaluation

We received written comments from the Director of the District of Columbia's Child and Family Services Agency who provided them on behalf of the Deputy Mayor for Children, Youth, Families, and Elders. These comments are reprinted in appendix II. The Director generally agreed with our findings related to the extent to which CFSA implemented ASFA requirements, developed policies, and improved its relationship with the D.C. Family Court. Although the CFSA Director did not directly address the recommendations, she generally agreed with the areas we identified for continued improvement and said that CFSA is deeply committed to continuing improvements in the FACES information system.

Additionally the Director provided overall comments concerning the (1) implementation plan, (2) establishment of CFSA, and (3) timeframes of the receivership. CFSA suggested that we modify the report to reflect strategies listed in the April 2003 Implementation Plan regarding timely notification and reducing the number of children in foster care for 18 months or more with a permanency goal of returning home. We changed the report to reflect the notification strategy but did not make changes regarding children and their progress towards permanency because the April 2003 plan did not include a relevant strategy. CFSA also suggested that we include the date the agency was established as a single cabinet-level District agency and the date the agency gained responsibility for abuse cases from the Metropolitan Police Department. We made these changes. Additionally, CFSA recommended that we discuss the policy implementation trends earlier in the report, and asked that we note the time period for the cases included in the HHS review, which we did. CFSA also asked that we explain that the data we collected and analyzed generally covered the October 1999 to mid-2002 period. We did not make this change. As explained in the scope and methodology section of the report, we reviewed and analyzed a variety of data related to all active foster care cases. Some of the data was as of November 2002, and some analyses were based on active cases that began prior to October 1999.

The CFSA Director also made several detailed comments. As she suggested, we added language to clarify the requirement for a permanency hearing, included information on changes made to FACES regarding rescheduling administrative reviews and corrected the number of CFSA

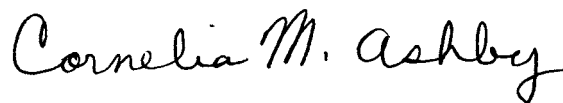
staff assigned to the Family Court. We did not include the March 2003 data listed in the comments because we could not verify the accuracy of the data.

Although the CFSA director did not directly address the recommendations, we continue to think that in order for CFSA to further improve its performance, the agency should develop plans to fully implement all ASFA requirements, establish procedures to ensure that caseworkers consistently implement all foster care policies, and document in FACES all activities related to active foster care cases.

As agreed with your office, unless you publicly release its contents earlier, we will make no further distribution of this report until 30 days after its issue date. At that time, we will send copies of this report to the Mayor of the District of Columbia; the Deputy Mayor for Children, Youth, Families, and Elders; the Director of the District of Columbia Child and Family Services Agency; and the Chief Judge of the District of Columbia Superior Court. We will also make copies of this report available to others on request. In addition, the report will be available at no charge on GAO's Web site at <http://www.gao.gov>.

If you have any questions about this report, please contact me on (202) 512-8403. Other contacts and staff acknowledgments are listed in appendix III.

Sincerely yours,



Cornelia M. Ashby
Director, Education, Workforce, and
Income Security Issues

Appendix I: Scope and Methodology

To provide a comprehensive assessment of the Child and Family Services Agency's (CFSA) performance relative to Adoption and Safe Families Act of 1997 (ASFA) requirements and selected foster care performance criteria, we relied on several sources of information and analyses. We reviewed the U. S. Department of Health and Human Services' (HHS) Child and Family Services Review (February 2002) and obtained and analyzed data to assess CFSA's implementation of ASFA's requirements. Our analysis of CFSA's implementation of ASFA identified whether the agency had implemented procedures in accordance with the ASFA requirements and did not assess the extent to which or how well it had implemented the requirement across all applicable foster care cases.

To perform our assessment of CFSA's performance with regard to the selected performance criteria established during its probationary period, we obtained and analyzed relevant automated data from FACES¹ on all active foster care cases as of November 30, 2002, the last complete month for which data were available at the time of our work. We analyzed these data for six of the eight criteria. For the other two criteria, we analyzed data on all foster homes as of November 30, 2002, and data on case plans as of September 30, 2002. Additionally, we obtained and analyzed automated FACES data for 943 foster care cases that were at least 6 months old as of November 30, 2002, to assess how CFSA caseworkers implemented foster care policies that covered several key functions from investigations through the delivery of services to foster children and their families. Many of the active foster care cases began prior to October 1999.

We also obtained and analyzed reports by the court-appointed monitor to assess CFSA's performance relative to the specified requirements and criteria. In addition, we reviewed and included relevant information from several of our prior reports on CFSA and the District's Family Court. In addition, we independently verified the reliability of automated data by reviewing related reports on the data maintained in FACES and by assessing the degree to which FACES contained erroneous or illogical data entries. To obtain additional information on policy implementation and documentation, we reviewed case files for children who entered the foster care system at different times. Our case file review included analyses of data contained in FACES and in paper case files for selected foster care cases. We pretested our data collection instrument for collecting case file information and received training in the content and

¹CFSA's automated case management system.

use of FACES. In addition, while FACES did not contain all data on the implementation of the policies we selected, we analyzed information on CFSA's most recent performance to provide a comprehensive assessment of various agency initiatives intended to improve implementation of foster care policies. We also reviewed federal and local laws, regulations, and selected CFSA policies. Using interview protocols, we interviewed CFSA executives, managers, and supervisors; OCC officials; the Office of the Deputy Mayor for Children, Youth, Families, and Elders; Family Court judges and other court officials; and child welfare experts in organizations that recommend policies applicable to child welfare programs.

Appendix II: Comments from the Director of the Child and Family Services Agency

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Child and Family Services Agency



IN REPLY REFER TO:

May 21, 2003

Cornelia M. Ashby, Director
Education, Workforce, and Income Security Issues
United States General Accounting Office
441 G Street, NW
Washington, DC 20548

On behalf of the Deputy Mayor Children, Youth Families and Elders, thank you for the opportunity to comment on the draft GAO report about Child and Family Services Agency progress in meeting requirements of the Adoption and Safe Families Act (ASFA). We appreciate your overall finding that CFSA has made important progress and must continue to make additional significant improvements. This perspective matches our own as well as that of other independent reviewers such as the Council for Court Excellence and Federal Court Monitor under the *LaShawn A. v. Williams* lawsuit.

We also appreciate your recognition of progress CFSA has made in improving institutional relationships (particularly with the Family Court), in implementation of key ASFA requirements, in policy development, and in improving the safety net for children through speedier investigations and other measurable indicators. We generally agree with areas GAO has identified for continued improvement.

We have three overall comments about the draft report and several detailed comments.

Overall Comments

- **Implementation Plan:** The District has a comprehensive plan for addressing a vast range of child welfare reforms, including areas you noted as requiring improvement. That is the Implementation Plan in the *LaShawn A. v. Williams* lawsuit just approved by District Judge Thomas F. Hogan May 15, 2003. The District provided extensive input during negotiation of this plan and is committed to meeting its challenging requirements, which include performance benchmarks at specific intervals between June 30, 2003, and Dec. 31, 2006. We recommend that the text of the report be modified to say that the District and CFSA should carry out the Implementation Plan rather than develop new plans. Implementation Plan citations for items where GAO reports no plan:

400 Sixth Street, SW ♦ Washington, DC 20024
Web: www.dchildandfamilyservices.com

- Timely notification is covered in Outcome 2c and Implementation Strategy #1e of Chapter X (Case Review System.)
- Reducing the number of children in foster care for 18 months or more with a permanency goal of returning home is covered under Special Corrective Action (Chapter XIX).
- **Recent Establishment of CFSA:** We believe that it is important to the accuracy of the report to note that District statute established CFSA as a single Cabinet-level District agency in April 2001, that the Federal Court receivership ended in June 2001, and that key provisions of the legislation (in particular, unification of neglect and abuse investigations under CFSA) took effect in October 2001. This major statutory reform carried out as part of the consent agreement that returned control of CFSA to the District also, for the first time, created the basis for a unified safety net for District children. Under the previous fragmented system, no one agency had complete authority over basic child welfare functions, and children and families too often fell through the cracks. We recommend that you include this information in the summary of statutory changes at the beginning of the report as well as in the Background section. It is also key to several of the specific findings, as it clarifies the starting point and the speed of progress made by CFSA and the District.
- **Time Frames of Receivership vs District Control:** Because the unified child welfare safety net is so recent, it is important to clarify throughout the text information that pertains to the time before June 2001 (when the agency was still in receivership and the system was still fragmented, because the establishment legislation that unified the system had not yet taken effect) versus after that date (when child welfare had returned to District control) and the trend over time. We appreciate efforts to address these issues in the text and in the table on page 16. We recommend moving these findings to the Executive Summary at the beginning. Other places in the text where we think it would be helpful to clarify timing include the following.
 - The HHS review in 2001 reviewed cases from the previous year. Thus, it did not address the current system but provided a baseline regarding the pre-unification system, when child welfare was divided among agencies, and CFSA was under Federal Court receivership. Wherever the HHS review is referenced, it would be helpful to note that this is baseline information about child welfare before the agency's return to District control.
 - Data collected and analyzed by GAO generally covered October 1999 to mid-2002. As noted above, we appreciate the effort on page 16 to distinguish between performance before the current system began and performance afterwards. We recommend that in each place where these data are discussed, the time period covered and date of the change should also be explained. For example: *These data cover performance over the period from October 1999 to mid-2002. CFSA returned to District control in June 2001 and became a unified child welfare agency in October 2001.*

Specific Comments

- In the chart on page 8 and in the related text, it appears that GAO believes the ASFA requirement is for a permanency hearing within 12 months of removal. In fact, ASFA requires a permanency hearing with 12 months of “entry into foster care,” which is not defined as removal but as the date of the first judicial finding that the child has been neglected (the adjudication) or 60 days after removal, whichever is earlier. In most cases, this means the date the first permanency hearing is required is actually 14 months after removal, not 12 months. This is significant since both CFSA and court data since October 2002 show that in about 82 percent of cases where a child entered care in the last 18 months and where the permanency deadline has passed, permanency hearings have been timely.
- Where appropriate, we recommend that GAO include current information.. In March 2003, for example:
 - Investigations open for less than 30 days was 77.5%.
 - Children receiving a monthly visit was 44%.
- The report states: “CFSA’s automated system lacked data on four of the six policies for at least 70 percent of its active foster care cases.” (p.14). The report also states that detailed management information was missing in FACES for about two-thirds of the cases. Many of the cases GAO reviewed predate implementation of FACES in late 1999, many others predate the unification of the child welfare system under CFSA in October 2001, and automated data that cover the management and process measures studied by GAO are not available largely for those reasons. The reports states that “without information on all cases, managers do not have information needed to assess program operations and make improvements, if needed.” (p. 14). However, like workers in many child welfare agencies throughout the country, CFSA social workers use hard copy records to access information that predates FACES.


We want to emphasize that, as highlighted in CSFA’s Congressional testimony, we are deeply committed to continuing improvements in our FACES information system, which is a strong case management system that meets most Federal requirements. We anticipate applying for full Federal certification of all requirements during the coming year, a status currently achieved by only four states. We are open to learning about strategies for remedying the specific issue raised by GAO - the gaps in data that come from the failure of past, less strong data systems - but as we have explored with other states and national experts the strategies that have been explored elsewhere, we found no state that had a solution to recommend beyond the approach that CFSA has already taken, which is to do a “data dump” limited to those elements of the old data systems that were generally of high quality.

- The report states: “The unmet requirements and performance criteria not addressed in the plans are those related to providing timely notification of all reviews and hearings . . . ” (p.3). CFSA is preparing to implement a review notification system (mentioned briefly on page 18) designed to automate the notification process so that we are able to greatly increase

timeliness. On a related matter, the report points out that the FACES system overwrites the scheduled administrative review with the re-scheduled review. This is because we were previously unable to track how many times a review was re-scheduled. This issue has been resolved in FACES. Since drafting of the report, we are able to track how often an administrative review is re-scheduled.

- The sentence on page 21 that begins “Additionally, CFSA assigned two...” should read: *In addition, CFSA assigned a liaison representative to the Family Court who is responsible for working with other District agency liaison representatives to assist social workers and case managers in identifying and accessing court-ordered services for children and their families at the Family Court.*”

Sincerely,



Olivia Golden, Director
Child and Family Services Agency

Appendix III: GAO Contacts and Acknowledgments

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