

<h1>ACF</h1> <p>Administration for Children and Families</p>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families	
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INFORMATION MEMORANDUM

TO: State and Territorial Agencies Administering or Supervising the Administration of Titles IV-B and IV-E the Social Security Act, ACF Regional Offices

SUBJECT: Measuring Program Improvement Plan (PIP) Improvement for the Child and Family Services Reviews (CFSRs) National Standards

LEGAL AND RELATED: Titles IV-B and IV-E of the Social Security Act, 45 CFR 1355.34(a) and (b), 45 CFR 1355.35(a) and (e), 45 CFR 1355.36 (d), ACYF-CB-IM-00-11, and ACYF-CB-IM-01-01 and Federal Register of June 7, 2006 (Vol. 71, No. 109), pages 32969-32987, Federal Register: January 23, 2007 (Volume 72, Number 14) pages 2881-2890.

PURPOSE: To provide guidance for use by States and Regional Offices in negotiating the amount of improvement necessary toward meeting the national standards through an approved program improvement plan (PIP) for the second round of CFSRs.

INFORMATION: In accordance with 45 CFR 1355.34(a) and (b), a State must, in part, meet national standards for certain statewide data indicators and achieve certain outcomes for children and families to be determined in substantial conformity in a CFSR. In 71 FR 32969-32987 (June 7, 2006) and 72 FR 2881-2890 (January 23, 2007), we transmitted revised national standards for the six statewide data indicators used, in part, to determine if States are operating in substantial conformity with Titles IV-B and IV-E of the Social Security Act (the Act) for the second round of CFSRs. If a State is determined not to be in substantial conformity because the State's data did not meet the national standards, the State is required to develop a PIP (45 CFR 1355.35(a)) that sets forth the amount of progress the State will make toward meeting the national standards for the statewide data indicator(s). We are providing guidance for use by States and Regional Offices in determining the minimal amount of improvement that States must make toward meeting the standards through the implementation of a PIP for the second round of CFSRs. We note that a PIP is required of States determined not to be in substantial conformity on any of the outcomes and systemic factors examined as a part of the

CFSRs. A State may be determined not to be in substantial conformity for reasons other than failure to meet the national standards, such as the failure of a sufficient number of cases reviewed onsite to be rated as substantially achieved. This IM addresses the extent of improvement that will be required of States through a PIP due to determinations that States are not operating in substantial conformity based in whole or in part on the failure of the State to meet the national standards, and does not address States' failure to achieve substantial conformity due to other reasons.

INSTRUCTIONS: States should use the most accurate and current AFCARS and NCANDS data as a basis for establishing baselines for implementing their PIP. In approving States' PIPs, we will issue and utilize an updated data profile reflecting the most recent data available so that we have a current baseline for determining the amount of progress a State must make with regard to each national standard indicator.

In situations where a State does not meet a national standard data indicator, the regulations require that the PIP, which is jointly developed by the Children's Bureau and the State, set forth the amount of progress the statewide data will make toward meeting the national standards (45 CFR 1355.35(a)(1)(i) and (iv)). The PIP must also specify a period in which ACF can measure a State's progress in achieving the negotiated amount of improvement (45 CFR 1355.35(e)(1)).

For the second round of CFSRs, the minimal amount of improvement will be based on the national sampling error adjusted for the level of the individual State's baseline year performance. In actual practice, States will multiply their baseline performance by an improvement factor to obtain their PIP goal for a particular national standard data indicator. We are adjusting the improvement proportional to a State's baseline performance to make the process as equitable and individualized as possible. By using this approach, each State's minimum improvement is an amount proportional to its original performance. The improvement amount will vary by State depending on its computed baseline score. The process we used for the development of this improvement factor is outlined below:

We calculated the average performance of the five highest performing States that fell below the national standard for each data indicator (source file FY 2004). The average of the five States was used to avoid undue influence from States that performed at the extremes on a particular indicator. We added the average performance of those five States to the national sampling error for each national standard data indicator. We then calculated the percent change between the two values (the original baseline value, and the value after the sampling error was added). In the final step we added 1 to the percent change to express as a decimal.

Following is an example of the minimal improvement procedure using permanency composite 1:

For composite 1, the average scaled score of the five highest States below the National Standard was 121.3. This served as the base period value. We then added the sampling error of 3.5 to that average to obtain 124.8. The percent change between 124.8 and 121.3 is 2.9 percent or .029. To obtain the proportional improvement factor, .029 is added to the number 1, yielding 1.029 as the improvement factor.

To obtain a State's PIP target goal (for a State performing below the national standard), the improvement factor is multiplied by the State's actual baseline performance. If a State's scaled permanency composite 1 score was 115.0, at a minimum we would expect the State to improve to 118.3 on this indicator as part of an approved PIP in order to consider that improvement has been made. This is calculated as $115.0 \times 1.029 = 118.3$.

In addition to the process described above, the Children's Bureau Regional Office may also consider other programmatic factors in negotiating the amount of improvement States are required to make in a PIP. Such programmatic factors may include the factors affecting the State's lack of substantial conformity, the difficulty and time involved in program improvement efforts in achieving overall improvement and whether the area needing improvement is an egregious area affecting child safety.

Our methodology for determining a State's minimum PIP improvement with regard to the national standards is indicated for each of the six national standard data indicators in the attached chart.

In order to determine the amount of progress a State has made toward meeting the national standard, we will compute the difference between the State's data in the updated profile produced by the Children's Bureau at the time of PIP development and their negotiated measurement data representing PIP performance. If the difference indicates a level of improvement that meets or exceeds the approved amount of improvement specified in the PIP, we will determine that the State has successfully completed that portion of the PIP. If the State does not meet or exceed the approved amount of improvement specified in the PIP, the applicable penalties for the outcome associated with the data indicator will be withheld as specified in 45 CFR 1355.36. States that do not achieve the national standard in subsequent reviews will again be determined out of substantial conformity and be required to establish new benchmarks of improvement to be made toward attainment of the national standards and subject to the penalty provisions in 45 CFR 1355.36.

INQUIRES: Children's Bureau Regional Program Managers

Date:

Joan E. Ohl
Commissioner

Attachment

ATTACHMENT

Data Indicator	National Standard	National Sampling Error¹	Average Score(Base period value)²	Improvement Factor	Method for Setting the Minimum Amount of Improvement
Absence of Maltreatment Recurrence	94.6	.60	93.8	1.006	State's baseline score is multiplied by the improvement factor to set the target for the amount of improvement to be obtained
Absence of Child Abuse or Neglect in Foster Care	99.68	.06	99.61	1.001	State's baseline score is multiplied by the improvement factor to set the target for the amount of improvement to be obtained
Permanency Composite 1: Timeliness and Permanency of Reunification	122.6	3.5	121.3	1.029	State's scaled baseline composite score is multiplied by the improvement factor to set the target for the amount of improvement to be obtained
Permanency Composite 2: Timeliness of Adoptions	106.4	4.3	104.0	1.041	State's scaled baseline composite score is multiplied by the improvement factor to set the target for the amount of improvement to be obtained
Permanency Composite 3: Achieving Permanency for Children in Foster Care for Long Periods of Time	121.7	3.3	119.2	1.028	State's scaled baseline composite score is multiplied by the improvement factor to set the target for the amount of improvement to be obtained
Permanency Composite 4: Placement Stability	101.5	3.0	98.7	1.030	State's scaled baseline composite score is multiplied by the improvement factor to set the target for the amount of improvement to be obtained

¹ Sampling Error associated with the source file (FFY2004) used to generate National Standards

² For Permanency Composites – average of the scaled composite Score of 5 highest States below the national standard. For Safety Data Indicators - average data indicator value for the 5 highest States below the national standard. Source file (FFY2004)