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PERIOD 19 FINAL DATA REPORT

Kenny A. v Perdue

January 1 – June 30, 2015

Accountability Agent

Karen Baynes-Dunning

and the

Monitoring and Technical Assistance Team

Steve Baynes, Elizabeth Black and Jennifer Miller Haight

PART ONE - INTRODUCTION

The Accountability Agent and the Monitoring and Technical Assistance Team (collectively referred to here as MTAT), appointed by the Federal Court to monitor progress under the *Kenny A. Consent Decree*, published the Period 19 Preliminary Data Report in October 2015. That report contained data produced by the State's automated data system SHINES and was validated by MTAT for the period of January 1 to June 30, 2015. For the remaining outcome measures during Period 19, four in-depth file reviews took place between September 2015 and November 2015.¹ MTAT has now completed the analysis of this data, and the results are included in this Final Period 19 Monitoring Report. Together, these two reports provide a streamlined picture of the State's progress in meeting the standards set forth in the Consent Decree during Period 19.

MTAT is conducting a comprehensive data review of the state's performance over the past ten years. This will be shared with the parties as they develop an agreed upon course for sustainable reforms and effect a well-defined implementation strategy.

The context provided in the forthcoming longitudinal view will provide a broader view of system change in the last decade, such as the impact on children and their families, DFCS personnel, private providers, foster parents, relative caregivers and adoptive parents. Even so, a number of major issues that are observable in the current data continue to affect the State's performance. These include: increased number of children in care; a decrease in the number of children exiting care; a high turn-over rate of case managers; and a lack of appropriate and available placement options resulting in a number of children and youth being housed in hotels in the Atlanta area.

The chart below displays the State's progress in meeting each outcome measure in the Consent Decree. The outcome measures shaded dark were analyzed using data from SHINES. These outcomes were discussed in the Period 19 Preliminary Data Report published in October 2015. Analysis of the remaining outcome measures is provided in this Period 19 Monitoring Report in the sections that follow.

¹ See Appendix for more detail on the data sources and methodology used to determine the State's performance.

PART TWO - SUMMARY OF OUTCOMES

The Period 19 performance period (January 1, 2015 – June 30, 2015) was a six-month period characterized by the impact of systemic factors that resulted in persistent challenge to the system as well as the leadership's clear effort to meet these pressures without compromising safety. While continued increases in the number of children entering care, coupled with on-going high-turnover rates, maintained pressure on the process of care, DFCS leaders responded to immediate system concerns by developing and implementing short-term solutions like the Welcome House, temporarily placing children in hotels and the continued redeployment of caseworkers. They also continued to push forward with a focus on the three core elements of the Blueprint for Change: implementation of a case practice model, developing a robust workforce, and improving constituent engagement.

The summary of outcome performance contained in this current report as well as in the Preliminary Period 19 report reflects the challenges of responding expeditiously to short-term pressures. This response is simultaneous to also maintaining steadfast focus on longer term system reform that is essential to generating and maintaining strong safety, permanency and well-being outcomes for children and families. Thus, overall Period 19 results show some small declines in performance in the core domains while also maintaining some important momentum towards improvement.

The intensive case reviews elaborated in some important ways on the findings reported in the preliminary report and we note them briefly below.

Safety

Three of the five safety measures related to the process of investigation for children allegedly victimized while in care. For these measures, case review results were largely consistent with performance in prior periods, which was near but not quite to the standards stipulated in the consent decree. However, there was continued decline in the metric that relates to the incidence of abuse in care. The 1.16 percent rate of maltreatment in care represents the highest rate seen since 2009 – and is twice as high as the standard. MTAT will be working with the state's Knowledge Management Unit to conduct a more thorough analysis to ascertain the factors contributing to this increase. Finally, while the incidence of corporal punishment continued to surpass the required threshold, the Accountability Agent will be closely monitoring the new process for assessing allegations of corporal punishment. More information will be provided in the Period 20 report.

Permanency

As reported in the Preliminary Period 19 report, there was continued strength in Outcomes 8a and 8b, indicating that over half of the children entering care during the period achieved

permanency within one year of their exit, and an additional seven percent exited with in their second year. This is well above the standard for 8a and consistent with prior performance for both 8a and 8b. However, the case review revealed that there were some setbacks in the process of care associated with maintaining family connections as well as achieving specific case milestones (Outcomes 19, 15, 27, 28). It is likely that the increases in entries and caseworker turnover put pressure on efforts to place children in homes and to maintain the process of care standards. It is likely that those same pressures also affected the well-being measures discussed below.

Well-Being

Placement stability performance (Outcome 17) declined substantially for those cases reviewed for Period 19. This is a concern, and will be an area of focus for the MTAT going forward, as it too is most likely associated with the concerns noted above. For example, placing children/youth in hotels during Period 19 and in hotels and at the Welcome House during Period 20 addresses the immediate need to place a child in a safe environment; however, that temporary measure will also result in at least one more placement move. This may partially explain the dip on this performance measure in Period 19. However, because the use of hotels and the Welcome House is a temporary solution, it is reasonable to expect stability to increase as use of these interventions tapers. Leadership's focus on expanding their service array to both depend more on relative caregivers and more broadly match child's needs to the appropriate level of care should also begin to reverse the dip in placement stability observed in this period.

Infrastructure

During Period 19, the approval and/or licensure status (Outcome 25) or relative homes continues to be problematic. One of the state's key initiatives moving forward is to place children with relatives whenever possible and appropriate. Thus, emphasis on approval/licensing these placements is critical.

Taken together, the Period 19 reports suggest that Fulton and DeKalb county leadership – along with state leaders – contended with mounting system pressures. Both the SHINES data and the case review results indicate that their efforts to maintain progress – or even hold steady – on safety, permanency, well-being, and infrastructure outcomes were mixed, but not without strengths. As the state further clarifies and begins to install the system reforms that will be implemented as part of the Blueprint for Change, there is opportunity to reverse the decline in those areas that dipped, and to continue to build on existing strengths.

Kenny A. Outcomes: Progress as of June 30, 2015²
Comparison of Period 18 Performance (July 1 – December 31, 2014)
to
Period 19 Performance (January 1 – June 30, 2015)

Safety Outcomes Children in Foster Care are Safe From Maltreatment in Care	Period 18 Performance	Period 19 Performance
Outcome 1: At least 95% of all investigations of reports of abuse or neglect of foster children shall be commenced, in accordance with Section 2106 of the Social Services Manual, within 24 hours of receipt of report.	90%	90%
Outcome 2: At least 95% of all investigations of reported abuse or neglect of foster children shall be completed, in accordance with Section 2106 of the Social Services Manual, within 30 days of receipt of report.	88%	93%
Outcome 3: At least 99% of all investigations of reported abuse or neglect of foster children during the reporting period shall include timely, face-to-face, private contact with the alleged victim, including face-to-face contact with a child who is non-verbal due to age or for any other reason.	90%	89%
Outcome 5: No more than 0.57% of all children in foster care shall be the victim of substantiated maltreatment while in foster care.	0.72%	1.16%
Outcome 6: 98% of all foster homes will not have an incident of corporal punishment within the previous 12 months.	99%	98%
Permanency Outcomes Children in Placements Maintain Family Connections		
Outcome 7: At least 95% of all foster children entering care shall have had a diligent search for parents and relatives undertaken and documented within 60 days of entering foster care.	97%	96%
Outcome 16: At least 80% of all foster children who entered foster care during the reporting period along with one or more siblings shall be placed with all of their siblings.	59%	56%
Outcome 19: 90% of all children in care shall be placed in their own county (the county from which they were removed) or within a 50 mile radius of the home from which they were removed, subject to the exceptions in Paragraph 5.C.4.b (ii) and (iii).	97%	91%
Outcome 21: At least 85% of all children with the goal of reunification shall have appropriate visitation with their parents to progress toward reunification	85%	80%

² Shaded outcomes were reported in the Period 19 Preliminary Data Report in October 2015.

Kenny A. Outcomes: Progress as of June 30, 2015

Permanency Outcomes Children in Placements Maintain Family Connections	Period 18 Performance	Period 19 Performance
Outcome 23: At least 90% of the total minimum number of required monthly sibling-group visits shall have taken place during the reporting period. Children who have one or more siblings in custody with whom they are not placed shall be provided a visit with their siblings at least one time each month, unless the visit is harmful to one or more of the siblings, the sibling is placed out of state in compliance with ICPC, or the distance between the children's placement is more than 50 miles and the child is placed with a relative. ³	92%	84%
Permanency Outcomes Children Achieve Permanency		
Outcome 4: No more than 8.6% of all foster children entering custody shall have re-entered care within 12 months of the prior placement episode.	10.6 %	8.3%
Outcome 8a: Of all the children entering custody following the entry of the Consent Decree, at least 40% shall have had one of the following permanency outcomes within 12 months or less after entering custody: reunification, permanent placement with relatives, permanent legal custody, adoption, or guardianship.	58%	58%
Outcome 8b: Of all the children entering custody following the entry of the Consent Decree, at least 74% shall have had one of the following permanency outcomes within 12 months or less after entry: reunification, permanent placement with relatives, or shall have had one of the following permanency outcomes within 24 months or less after entering: adoption, permanent legal custody, or guardianship.	65%	65%
Outcome 9: Children in custody for up to 24 months and still in custody upon entry of the Consent Decree (children in the "24 month backlog pool"): For all children remaining in the 24 month backlog pool after the third reporting period at least 40% by the end of the fourth reporting period shall have one of the following permanency outcomes: reunification, permanent placement with relatives, permanent legal custody, adoption, or guardianship.	16.7%	0%⁴

³ As part of a Stipulated Modification to the Consent Decree, the standard for Outcome 23 was modified. See *Kenny A. v Perdue*, Stipulated Modification of Consent Decree, 1:02-CV-01686-MHS, effective November 22, 2010.

⁴ Only three children remain in the Outcome 9 cohort at the end of Period 19.

Kenny A. Outcomes: Progress as of June 30, 2015

Permanency Outcomes Children Achieve Permanency	Period 18 Performance	Period 19 Performance
Outcome 10: Children in custody for more than 24 months and still in custody upon entry of the Consent Decree: For all children remaining in the over 24 month backlog pool after the third reporting period at least 35% by the end of the fourth reporting period shall have one of the following permanency outcomes: reunification, permanent placement with relatives, permanent legal custody, adoption, or guardianship.	0%	0% ⁵
Outcome 11: For all children whose parental rights have been terminated or released during the reporting period, 80% will have adoptions or legal guardianships finalized within 12 months of final termination or release of parental rights	81%	56%
Outcome 12: For children whose parental rights have been terminated or released and the child has an identified adoptive or legal guardian resource at the time of the entry of the Consent Decree, 90% shall have had their adoptions or legal guardianships finalized within six months after the entry of the Consent Decree.	94% One Time Measure Taken in Period I	N/A
Outcome 13: For all children for whom parental rights have been terminated or released at the time of entry of the Consent Decree, and the child does not have an identified adoptive resource, 95% shall have been registered on national, regional, and local adoption exchanges, and have an individualized adoption recruitment plan or plan for legal guardianship within 60 days of the Consent Decree.	30% One Time Measure Taken in Period I ⁶	N/A
Outcome 14: No more than 5% of adoptions finalized during the reporting period shall disrupt within the 12 months subsequent to the reporting period.	0%	0%
Outcome 15: Permanency efforts (15/22): At least 95% of all foster children who reached the point of being in state custody for 15 of the prior 22 months, shall have had either (1) a petition for the termination of parental rights filed as to both parents or legal caregivers as applicable OR (2) documented compelling reasons in the child's case record why termination of parental rights should not be filed.	96%	91%

⁵ Only two children remain in the OM10 cohort at the end of Period 19.

⁶ The children to whom this outcome applied have recruitment plans. Those who have been discharged since Period I have been included in the Outcome 9 and 10 results.

Kenny A. Outcomes: Progress as of June 30, 2015

Permanency Outcomes Children Achieve Permanency	Period 18 Performance	Period 19 Performance
Outcome 27: At least 95% of foster children in custody for six months or more shall have either had their six-month case plan review completed by the Juvenile Court within six months of their prior case plan review, or DFCS shall have submitted the child's six-month case plan to the Juvenile Court and filed a motion requesting a six-month case plan review within 45 days of the expiration of the six-month period following the last review.	95%	89%
Outcome 28: At least 95% of foster children in custody for 12 or more months shall have either had a permanency hearing held by the Juvenile Court within 12 months of the time the child entered foster care or had his or her last permanency hearing, or DFCS shall have submitted the documents required by the Juvenile Court for and requested a permanency hearing within 45 days of the expiration of the 12-month period following the time the child entered foster care or had his or her last permanency hearing.	97%	92%
Well-Being Outcomes Children Experience Stable Placements and Worker Continuity		
Outcome 17: At least 95% of all children in care shall have had 2 or fewer moves during the prior 12 months in custody.	90%	77%
Outcome 18: At least 90% of all children in care at a point in time during the reporting period shall have had 2 or fewer DFCS placement case managers during the prior 12 months in custody. This measure shall not apply to cases that are transferred to an adoption worker or Specialized Case Manager; case managers who have died, been terminated, or transferred to another county; or case managers who have covered a case during another case manager's sick or maternity leave.	93%	91%
Outcome 20a: At least 96.25% of the total minimum number of twice- monthly face-to-face visits between case managers and all class member children required by Section 5.D.1.b during the reporting period occur. ⁷	97%	96%
Outcome 20b: At least 96.25% of the total minimum number of monthly private, face-to-face visits between case managers and all class member children required by Section 5.D.1.b during the reporting period occur ⁸	98%	97%

⁷As part of a Stipulated Modification to the Consent Decree, the standard for Outcome 20 was modified. See *Kenny A. v. Perdue*, Stipulated Modification of Consent Decree, 1:02-CV-01686-MHS, effective November 22, 2010.

⁸ Ibid.

Kenny A. Outcomes: Progress as of June 30, 2015

Well-Being Outcomes Children Experience Stable Placements and Worker Continuity	Period 18 Performance	Period 19 Performance
Outcome 22: At least 95% of the total minimum required monthly visits by case managers to caregivers during the reporting period occur. ⁹	95%	94%
Well-Being Outcomes Children and Youth Receive Services They Need		
Outcome 24: The percentage of youth discharged from foster care at age 18 or older with a high school diploma or GED will increase over baseline by 20 percentage points (baseline is 36%).	40%	Only Reported Once a Year
Outcome 30: At least 85% of children in care shall not have any unmet medical, dental, mental health, education or other service needs, according to the service needs documented in the child's most recent case plan.	69%	77%
Strengthened Infrastructure Outcomes Effective Oversight of Placement Settings		
Outcome 25: At least 98% of all foster placements serving class member children shall be in full approval and/or licensure status. ¹⁰	98%	96%
Outcome 26: At least 95% of foster children in custody at a point in time during the reporting period shall have all applicable language in court orders necessary to assess qualification for federal funding under Title IV-E of the Social Security Act.	100%	100%
Outcome 29: No more than 5% of all children in custody of DHS/DFCS for 12 months or more shall have a lapse of legal custody within the prior 13 months.	3.5%	0%*
Outcome 31: No more than 10% of all foster family home placements serving class member children at any time during the reporting period shall exceed the capacity limits referenced in Section 5.C.4.e. of the Consent Decree, concerning the requirement that no child shall be placed in a foster home if that placement will result in more than three (3) foster children in that foster home, or a total of six (6) children in the home, including the foster family's biological and/or adopted children. ¹¹	3%	1.4%

⁹ As part of a Stipulated Modification to the Consent Decree, the standard for Outcome 22 was modified. See *Kenny A. v Perdue*, Stipulated Modification of Consent Decree, 1:02-CV-01686-MHS, effective November 22, 2010.

¹⁰ As part of a Stipulated Modification to the Consent Decree, the methodology for Outcome 25 was modified. See *Kenny A. v Perdue*, Stipulated Modification of Consent Decree, 1:02-CV-01686-MHS, effective November 22, 2010.

¹¹ As part of a Stipulated Modification to the Consent Decree, the methodology for Outcome 31 was modified. See *Kenny A. v Perdue*, Stipulated Modification of Consent Decree, 1:02-CV-01686-MHS, effective November 22, 2010.

PART THREE - SAFETY

Principle four of the Consent Decree asserts, *“the state has primary responsibility for the care and protection of the children who enter the foster care system.”*¹² As a result, several Consent Decree outcomes and requirements focus attention on the safety of children in the custody of the State (DHS/DFCS). The following sections report on the State’s progress in the areas related to maltreatment of children in foster care and the state’s process for investigating such allegations (Outcomes 5, 1, 2,3, and 6).

Children in Foster Care are Safe from Maltreatment

Outcome 5 – Maltreatment in Foster Care

Measurement of Outcome 5 uses the federal definition as it existed in 2005: *“Of all children in foster care in the State during the period under review, 0.57 percent or fewer were the subject of substantiated or indicated maltreatment by a foster parent or facility staff member.”*¹³ The data used to measure the outcome performance derive from a review of all 116 investigations of alleged maltreatment concerning class member children in foster care conducted during Period 19 (January-June, 2015).

State Performance

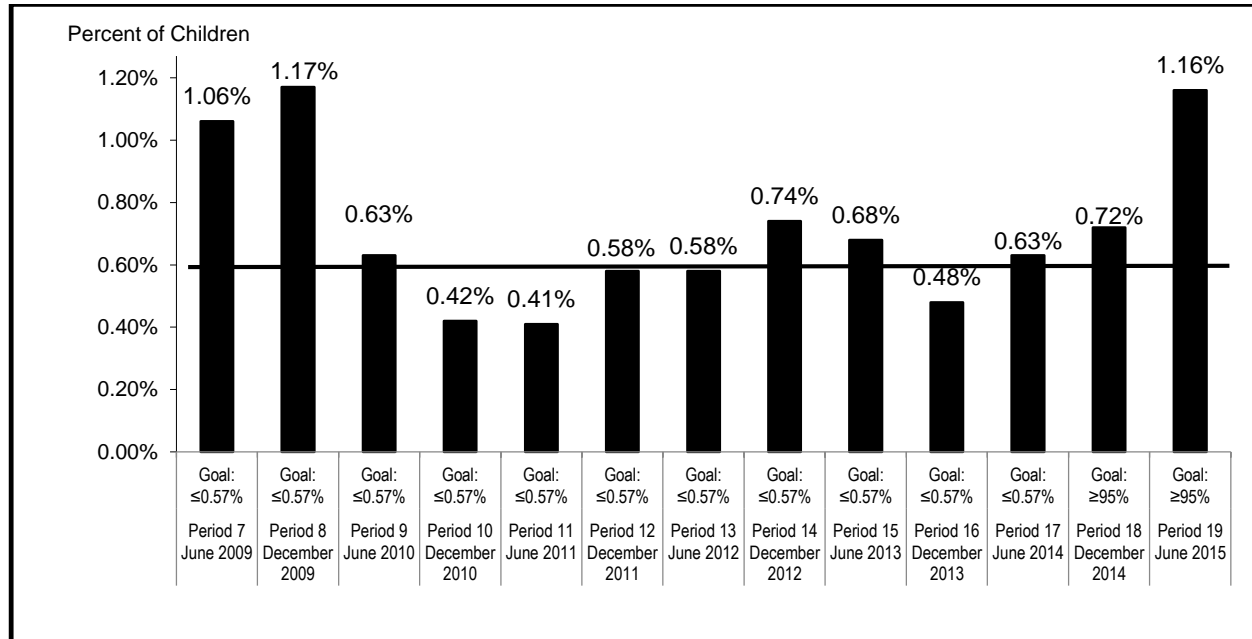
- **The State Did Not Meet the Outcome 5 Threshold**

The review found that **1.16** percent of the children in foster care had been victims of substantiated maltreatment during that time. This is more than double the percentage allowable under the Consent Decree and represents a drop to a level of performance not seen since Period 8 (July – December 2009). The graph below displays the State’s performance over the past 12 reporting periods. This represents an increase from 13 to 22 children. The 22 include several placements with 2 or more victims.

¹² See p. 4, Principle 4, of the Consent Decree.

¹³ U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families: Updated National Standards for the Child and Family Service Reviews and Guidance on Program Improvement Plans. Information Memorandum ACYF-CB-IM-01-07, August 16, 2003.

**Twelve Reporting Periods of State Performance on Outcome 5
Maltreatment in Care**



Source: Case File Review of All Maltreatment-in-Care Investigations, July 2009 – June 2015.

In Period 19, the review of all maltreatment-in-care investigations found 22 (1.16%) instances of substantiated maltreatment fitting the federal definition among the 1899 children in custody at any point during the reporting period.

The types of maltreatment substantiated for these 22 children consisted of the following: inadequate supervision (17 children), inadequate health, Medicare (2 children); inadequate supervision and inadequate food, clothing and shelter (2 children); and inadequate supervision and emotional psychological abuse (1 children).

Private provider-supervised foster homes accounted for 10 (45%) of these cases. Out of the remaining 12 cases, four children (18%) were placed in DFCS-supervised homes, six children (27%) were placed in congregate care facilities, and 2 children (9%) were placed in PRTF Treatment facilities.

Among the substantiated cases of maltreatment the following were particularly noteworthy:

- Residents in a Child Caring Institution acknowledged being handcuffed by the security guard for disobeying house rules. Additionally, one of the residents could not be accounted for and another child fractured his foot but there wasn't any clear indication from the staff or residents on how the child injured his foot. This case accounted for three

substantiated cases of maltreatment. All residents were removed from the facility.

- Allegations of inadequate health and medical care was substantiated after a child in a CPA foster home was admitted to the emergency room after ingesting an excessive amount of his medication (Lithium). The child was removed from the home.
- An allegation of inadequate supervision against a CPA foster home was substantiated when the agency learned a registered sex offender was residing in the home.

Outcome 1 - Maltreatment-in-care Investigations Commenced Within 24 Hours of Receipt of Report

The Consent Decree states, “at least **95%** of all investigations of reports of abuse or neglect of foster children shall be commenced, in accordance with Section 2106 of the Social Services Manual, within 24 hours of receipt of report.” Outcome 1 relates to the timeframe in which an investigation of suspected maltreatment of a foster child is commenced. The unit of analysis is the investigation itself (which may involve multiple alleged victims).

State Performance

- ***The State Failed to Meet the Outcome Measure 1 Threshold***

During Period 19, **90 percent** of maltreatment-in-care investigations commenced within 24 hours according to file review data from the universe of investigations completed. Displayed in the chart below is additional information from Period 19.

Outcome 1 – Commencement of Maltreatment-in-Care Investigations N=115¹⁴

Investigating County	Commenced Within 24 Hours		Not Commenced Within 24 Hours		Total	
	Number of Investigations	Percent of Total	Number of Investigations	Percent of Total	Number of Investigations	Percent of Total
DeKalb/Fulton	55	92%	5	8%	60	100%
Perimeter Counties	48	87%	7	13%	55	100%
State Special Investigations	0	0%	0	0%	0	100%

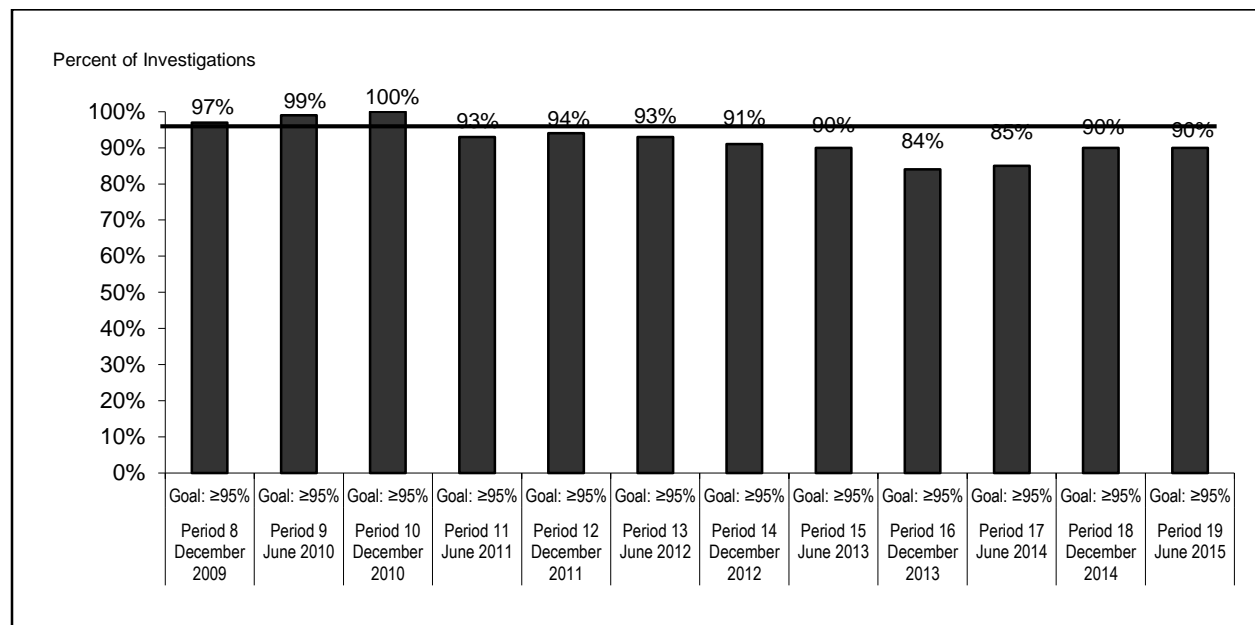
¹⁴ One of the 116 investigations was not completed because the child was deceased.

Unit ¹⁵						
Total	103	90%	12	10%	115	100%

Source: Case File Review of All Maltreatment-in-Care Investigations, January to June, 2015.

This is similar to the Period 18 performance of 90 percent, and marks the ninth consecutive period in which the state failed to meet the required threshold. The graph below depicts the state's performance over the past 12 reporting periods.

**Twelve Reporting Periods of State Performance on Outcome 1
Maltreatment-in-Care Investigations Commenced Within 24 Hours of Receipt of Report**



Source: Case File Review of All Maltreatment-in-care Investigations, July 2009 – June 2015.

Outcome 2 - Maltreatment-in-care Investigations Completed Within 30 Days of Report Receipt

Outcome 2 relates to the length of time it takes to complete such investigations. The Consent Decree requires that “at least **95%** of all investigations of reported abuse or neglect of foster children shall be completed, in accordance with Section 2106 of the Social Services Manual, within 30 days of receipt of report.

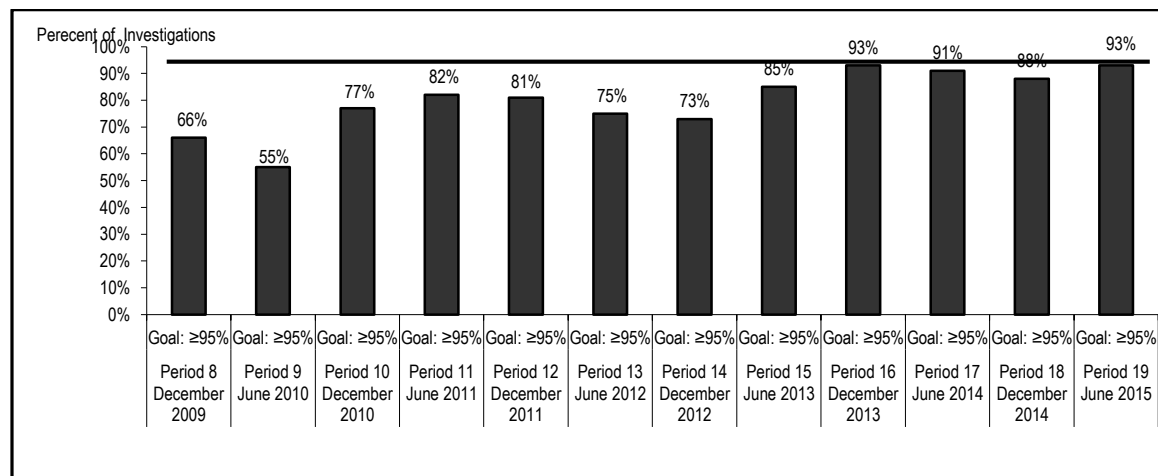
¹⁵ Allegations arising in congregate care facilities and in certain other circumstances may be investigated by the State Special Investigations Unit rather than a local DFCS office. During this period, some SSIU staff persons were deployed to assist other regions. In addition, the unit also experienced terminations and resignations.

State Performance

- ***The State Failed to Meet the Outcome Measure 2 Threshold***

According to the record review data, the state completed **93 percent** of maltreatment-in-care investigations (108 of 116) within 30 days during Period 19. This is an improvement from the Period 18 rate of 88 percent, but remains below the Outcome 2 standard. The graph below displays the State's performance over the past 12 reporting periods.

Twelve Reporting Periods of State Performance on Outcome 2
Maltreatment-in-care Investigations Completed Within 30 Days of Report Receipt



Source: Case File Review of All Maltreatment-in-Care Investigations, July 2009 – June 2015.

During Period 19, performance of the perimeter counties (93%) improved substantially compared to their Period 18 performance (84%). The chart below displays the Period 19 performance of DeKalb and Fulton counties, and the perimeter counties.

**Outcome 2 – Timely Investigations
N=116**

Investigating County	Completed in ≤ 30 Days		Completed in ≤ 45 Days		Total	
	Number	% of Total	Number	% of Total	Number	% of Total
DeKalb/Fulton	57	93%	60	98%	61	100%
Perimeter Counties	51	93%	54	98%	55	100%
State Special Investigations Unit ¹⁶	0	0%	0	0%	0	100%
Total	108	93%	114	98%	116	100%

Source: Case File Review of All Maltreatment-in-Care Investigations, January - June 2015.

Outcome 3 - Maltreatment-in-care Investigations with Timely Face-to-Face Private Contact with All Alleged Victims

Outcome 3 relates to the frequency with which such investigations include face-to-face contact with each alleged victim within 24 hours. The Consent Decree requires that “At least **99%** of all investigations of reported abuse or neglect of foster children during the reporting period shall include timely, face-to-face, private contact with the alleged victim, including face-to-face contact with a child who is non-verbal due to age or for any other reason.”

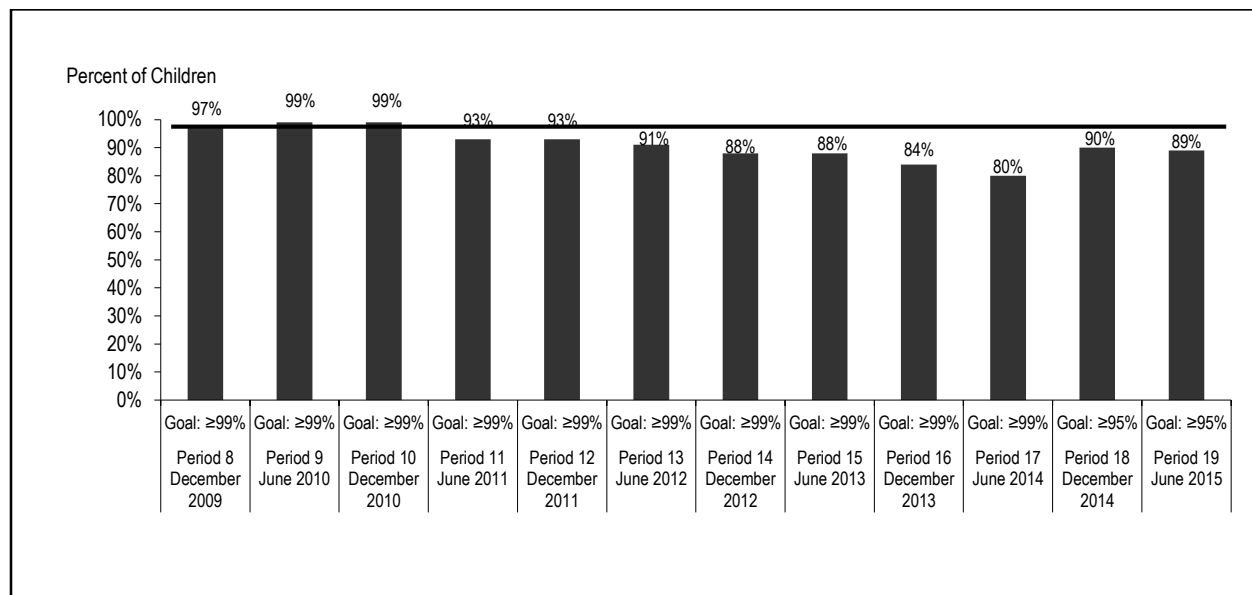
State Performance

• ***The State Failed to Meet the Outcome Measure 3 Threshold***

According to record review data from all investigations completed during Period 19, **89 percent** of the alleged victims of maltreatment in care (132 of 149) had face-to-face private contact with a CPS investigator within 24 hours. Even though the number of investigations of maltreatment in care increased during Period 19 (96 in Period 18 to 116 in Period 19), the overall percentage of CPS investigators who had face-to-face private contact with the alleged victim is similar to the Period 18 performance of 90 percent. Performance in both periods remained well below the Outcome 3 performance standard of 99 percent. The graph below illustrates the State’s performance on Outcome 3 for the last 12 reporting periods.

¹⁶ Allegations arising in congregate care facilities and in certain other circumstances may be investigated by the State Special Investigations Unit rather than a local DFCS office. During this period, some SSIU staff was deployed to assist other regions. In addition, the unit also experienced terminations and resignations.

**Twelve Reporting Periods of State Performance on Outcome 3
Maltreatment-in-care Investigations with Timely Face-to-Face Private Contact
with All Alleged Victims**



Source: Case File Review of All Maltreatment-in-Care Investigations, July 2009 – June 2015.

In the cases investigated by perimeter counties, a CPS case manager made private, face-to-face contact within 24 hours with 58 out of 66 (88%) percent of the alleged victims, a decline from the Period 18 performance of 93 percent. DeKalb and Fulton Counties' Outcome 3 performance of 74 out of 83 (89%) was an improvement from their Period 18 performance of 86 percent. Displayed in the charts below are additional Outcome 3 data for Period 19.

Outcome 3 – Face-to-Face Contact with Alleged Maltreatment Victims within 24 Hours
N=149

Investigating County	CPS Contact Within 24 Hours		Removed Prior To or Within 24 Hours of Report		No CPS Contact Within 24 Hours		Total	
	Alleged Victims	Percent of Total	Alleged Victims	Percent of Total	Alleged Victims	Percent of Total	Alleged Victims	Percent of Total
DeKalb/Fulton	74	89%	5	6%	4 ¹⁷	6%	83	100%
Perimeter Counties	58	88%	4	5%	4	6%	66	100%
State Special Investigations Unit ¹⁸	0	0%	0	0%	0	0%	0	100%
Total	132	89%	9	6%	8	5%	149	100%

Source: Case File Review of All Maltreatment-in-Care Investigations, January – June, 2015.

The factors contributing to delayed initial contact vary from period to period. During Period 19, a lack of documentation affected progress on outcomes 1 and 3, while contact by a non-cps certified worker also greatly affected Outcome 3. The chart below reflects this data.

¹⁷ For three of the children, the delay resulted from the failure of DeKalb or Fulton placement staff persons to timely refer allegations to the CICC.

¹⁸ Allegations arising in congregate care facilities and in certain other circumstances may be investigated by the State Special Investigations Unit rather than a local DFCS office. During this period, some SSIU staff was deployed to assist other regions. In addition, the unit also experienced terminations and resignations.

Documented Factors Contributing to Delayed Initial Contact with Alleged Victims¹⁹

Factors Contributing to Delayed Initial Contact	Period 17		Period 18		Period 19	
	1/1/2014 – 6/30/2014 Centralized Intake (CICC)		7/1/2014 – 12/31/2014 Centralized Intake (CICC)		1/1/2015 – 6/30/2015 Centralized Intake (CICC)	
	OM 1	OM 3	OM 1	OM 3	OM 1	OM 3
Delayed Reversal of Screen-out Decision	1	5	0	0	1	1
Delayed Referral by Placement Case Manager	6 ²⁰	6 ²¹	2	3	2	2
Delayed Assignment to Investigator	4 ²²	4 ²³	3	3	1	1
Worker Making Contact Not CPS Certified	3	5	1	1	5	5
CICC Failed to Properly Record and Disposition Intake	0	0	1	1	0	0
No Documented Reason	0	0	1	2	3	8
Total	13	19	8	10	12	17

¹⁹ The differing counts for Outcomes 1 and 3 reflect the different units of analysis for these outcomes; for Outcome 1 it is the investigation, for Outcome 3 it is the alleged victim.

²⁰ In one investigation there was a delayed referral by the placement case manager followed by a delayed assignment to an investigator. That case is reflected in the tabulation for each of those categories, but is counted only once in the Totals.

²¹ IBID

²² IBID

²³ IBID

**Proportion of Investigations Meeting Policy Requirements
(N shown is for Period 19 cases and varies based on
placement setting and other case characteristics)**

Investigation Policy Requirement	Percent of Applicable Files with Documentation of Compliance	
	Period 18	Period 19
Alleged maltreater was interviewed separately (N=115)	98%	95%
Investigator saw/interviewed every alleged maltreated child separately (N=81)	95%	99%
Continued safety of the child(ren) placed in the home was adequately evaluated and assessed (N=62)	95%	95%
Investigator reviewed the DFCS history of the foster parent/caregiver (N=67)	95%	100%
All approved foster parents/caregivers interviewed separately (N=116)	95%	97%
DFCS case managers required to visit in this foster care setting were contacted (N=116)	93%	94%
All other adults frequently in the home interviewed separately (N=30)	90%	87%
Investigator reviewed previous CPS reports for foster parents/caregivers (N=69)	87%	90%
At least two relevant collateral sources contacted during the investigation (N=88)	86%	91%
Investigator saw/interviewed each of the other children (non-alleged victims) separately (N=77)	84%	90%
Case record contains physical evidence to support case documentation (N=70)	68%	77%

Source: Case File review of all Maltreatment-in-Care Investigations, January – June, 2015

At the conclusion of maltreatment-in-care investigations, DFCS policy requires counties to send an “Administrative Packet” detailing the incident and findings to the Social Services Director within 10 days. If the incident occurred in a provider-supervised foster care setting, an investigative summary must also be sent to Residential Child Care (RCC) and Office of Provider Management (RPM).

Likewise, Section 12.B. of the Consent Decree requires all reports of suspected abuse or neglect of foster children in institutional, group, residential, or private provider-supervised foster family home settings to be referred to and reviewed by Residential Child Care (RCC) and the Office of Provider Management (OPM).²⁴ The purpose of the review specified in the Consent Decree is “...to determine whether a pattern of abuse or neglect exists within... [the provider agency]....

²⁴ RCC licenses child placing agencies (CPA), child caring institutions (CCI), and outdoor therapeutic programs (OTP). OPM approves CPAs, CCIs, and OTPs wishing to serve DFCS children once they have been licensed by RCC.

that contributed to the abuse or neglect; whether the contract should be terminated; whether particular homes or facilities should be closed....”²⁵

To assess compliance with these provisions, the Accountability Agent collects data directly from RCC, OPM, and the DFCS Policy Unit to ascertain which maltreatment investigations involving foster children were reported to each office.

The reporting of maltreatment-in-care investigations to each of these three offices is displayed separately in the charts below.

**Policy Unit Notification of Period 19 Maltreatment-in-care Investigations
N=116**

Investigating County	Total Investigations	Notified		Not Notified	
	Number	Number	% of Total	Number	% of Total
DeKalb	33	33	100%		
Fulton	28	28	100%		
Bibb	3	1	100%		
Burke	1	1	100%		
Carroll	1	1	100%		
Chatham	1	1	100%		
Clayton	9	9	100%		
Cobb	10	10	100%		
Coweta	1	1	100%		
Douglas	5	5	100%		
Fayette	3	3	100%		
Glynn	1	1	100%		
Greene	1	1	100%		
Gwinnett	3	3	100%		
Henry	2	2	100%		
Jefferson	1	1	100%		
Meriwether	1	1	100%		
Newton	4	4	100%		
Richmond	2	2	100%		
Rockdale	2	2	100%		
Total	116	116	100%		

Source: Survey of Notification of CPS Investigations in Foster Care Settings, January 1 – June 30, 2015.

²⁵ See Section 12 B, p. 28 of the Consent Decree.

**Residential Child Care Notification of
Period 19 Maltreatment-in-care Investigations
N=62**

Investigating County	Total Investigations	Notified		Not Notified	
	Number	Number	% of Total	Number	% of Total
DeKalb	15	15	100%		
Fulton	10	9	90%	1	10%
Bibb	3	3	100%		
Burke	1	1	100%		
Carroll	1	0	0%	1	100%
Clayton	6	5	83%	1	17%
Cobb	4	4	100%		
Coweta	1	1	100%		
Douglas	2	2	100%		
Fayette	3	2	67%	1	33%
Glynn	1	1	100%		
Gwinnett	2	2	100%		
Henry	1	1	100%		
Jefferson	1	1	100%		
Meriwether	1	1	100%		
Muscogee	3	3	100%		
Newton	4	4	100%		
Richmond	1	1	100%		
Rockdale	2	0	0%	2	100%
Total	62	56	90	6	10%

Source: Survey of Notification of CPS Investigations in Foster Care Settings, January 1 – June 30, 2015.

Office of Provider Management
Notification of Period 19 Maltreatment-in-care Investigations
N=68

Source: Survey of Notification of CPS Investigations in Foster Care Settings, January 1 – June 30, 2015.

Investigating County	Total Investigations	Notified		Not Notified	
	Number	Number	% of Total	Number	% of Total
DeKalb	20	20	100%		
Fulton	11	11	100%		
Bibb	2	1	50%	1	50%
Burke	1	1	100%		
Carroll	1	1	100%		
Clayton	6	6	100%		
Cobb	5	5	100%		
Coweta	1	1	100%		
Douglas	4	4	100%		
Fayette	3	3	100%		
Glynn	1	1	100%		
Gwinnett	2	2	100%		
Henry	1	1	100%		
Jefferson	1	1	100%		
Meriwether	1	1	100%		
Newton	4	4	100%		
Richmond	2	2	100%		
Rockdale	2	2	100%		
Total	68	67	99%	1	1%

General trends during Period 19 include:

- Inadequate supervision leading to more CPS investigations;
- Poor staff hiring decisions; and
- Staff practices.

Outcome 6 – Corporal Punishment

Outcome 6 seeks to protect children in foster care from experiencing corporal punishment, which the Consent Decree defines as “...any physical punishment of a child that inflicts pain.”²⁶ The Consent Decree requires that by the end of Period 4, 98 percent of all foster homes will not have an incident of corporal punishment within the previous 12 months.

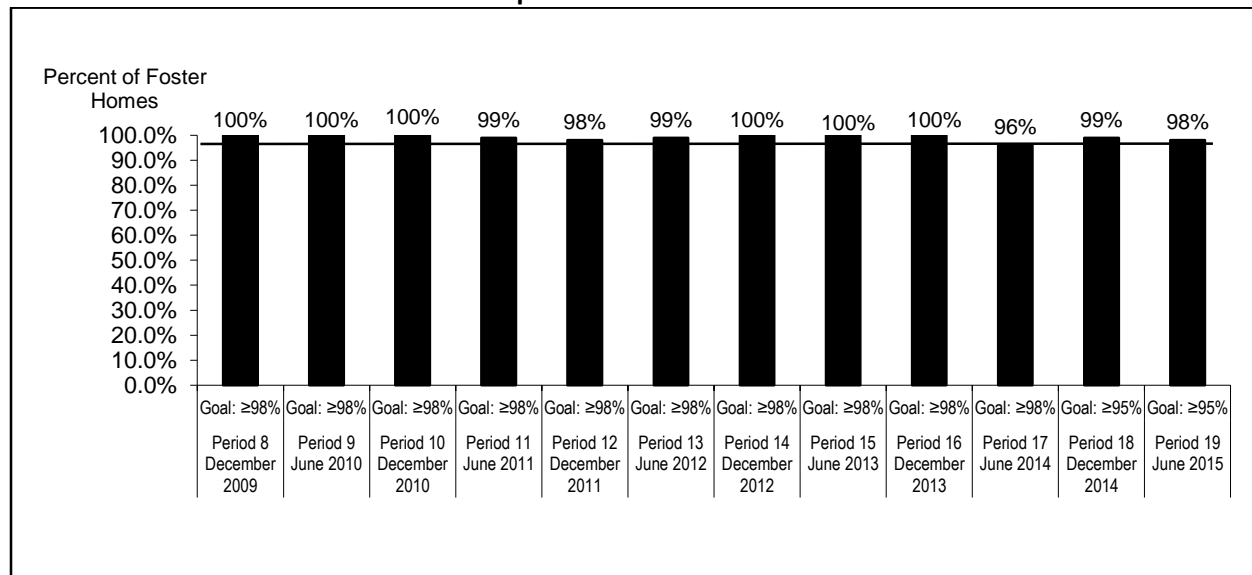
²⁶ See p. 2 of the Consent Decree.

State Performance

- ***The State Met the Outcome Measure 6 Threshold***

During Period 19, there were seven allegations of corporal punishment of children in foster care. Five of those cases were screened out as unsubstantiated. However, two of the alleged cases did not have documented assessments as required by the Consent Decree. In total, 79 of 81 foster homes sampled (**98%**) had no confirmed incidents of corporal punishment in the previous 12 months, thus meeting the Consent Decree standard. This was similar to the Period 18 rate of 99 percent. The graph below displays the State's performance on Outcome 6 for the last 12 reporting periods.

**Twelve Reporting Periods of State Performance on Outcome 6:
Absence of Corporal Punishment in Foster Homes**



Source: Foster Home Case Record Reviews, July 2009 – June 2015.

As indicated in the Preliminary Period 19 report, the state has changed its practice and processes regarding the assessment of corporal punishment allegations in private provider homes and congregate care settings. The MTAT will closely monitor the implementation of this process and report its findings in the Period 20 report.

PART FOUR - PERMANENCY

Several of the Consent Decree outcomes and practice requirements focus on various components of achieving permanency for children. This part reports on the State's progress in the areas related to children in DFCS custody maintaining their family connections and safely returning home or achieving permanency with new families (Outcomes 7, 19, 15, 27 and 28).

Outcome 7 – Diligent Search

Outcome Measure 7 in the Consent Decree requires case managers to conduct and document a diligent search for parents and relatives within 60 days of entry for at least 95 percent of the children. The outcome requirement for undertaking a diligent search within 60 days was deemed to have been satisfied if one of the following conditions was met:

- The child was placed with a family resource within 60 days after entering custody; **or**,
- A court order stated that the diligent search had been properly and timely submitted to the court; **or**,
- There were documented search efforts that included the following: interviewing children²⁷ about adults in their lives or someone with whom they would want to live **and** interviewing one or more family members or family friends within 60 days **and**, when resources were identified, contacting or attempting to contact them.

State Performance

- ***The State Surpassed the Outcome 7 Measure Threshold***

During Period 19, the counties documented diligent search efforts in 26 out of 27 (**96 %**) of the cases reviewed. The chart below displays additional information about the state's documented diligent search efforts, followed by a graph displaying the State's performance over the past eleven reporting periods.

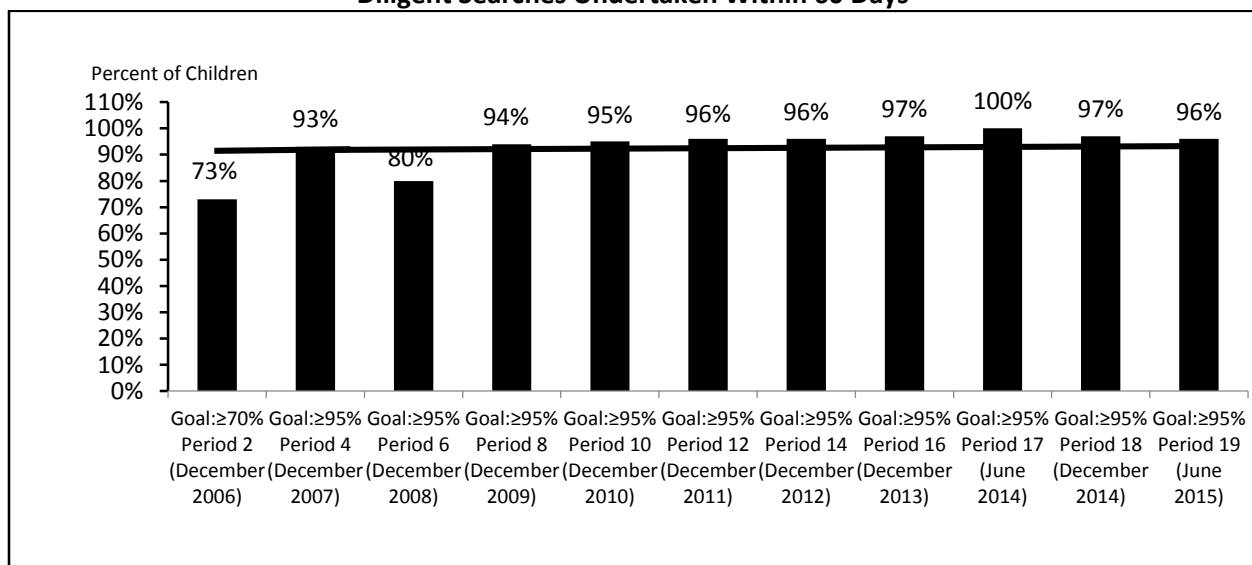
²⁷ If the child was aged 3 or younger, the record review did not seek to determine if the child was interviewed.

Diligent Search Actions Undertaken
N=27

Actions	Number	Percent
Children placed with a family resource within 60 days of entering custody	7	26%
Court order documented that the diligent search was “properly and timely” submitted	10	37%
Evidence of interviews with child and child’s family and others within first 60 days and contact made with one or more possible resource, as applicable	9	33%
Subtotal for Outcome Measurement	26	96%
Insufficient search activities in first 60 days: no documented interviews of children to gather information about relatives and significant others (children ranged in age from 5 to 17)	1	4%
Total	27	100%

Source: Case Record Review, January 1– June 30, 2015.

Eleven Reporting Periods of State Performance on Outcome 7
Diligent Searches Undertaken Within 60 Days



Source: Case Record Reviews

Outcome 19 – Placement Proximity

Outcome 19 requires the state to place at least 90 percent of children in foster care within the same county from which they were removed or within a 50-mile radius of the home from which they were removed.²⁸ The Consent Decree allows for the following exceptions:

- Children with needs so exceptional that they cannot be met by family;
- Children placed with relatives through ICPC;

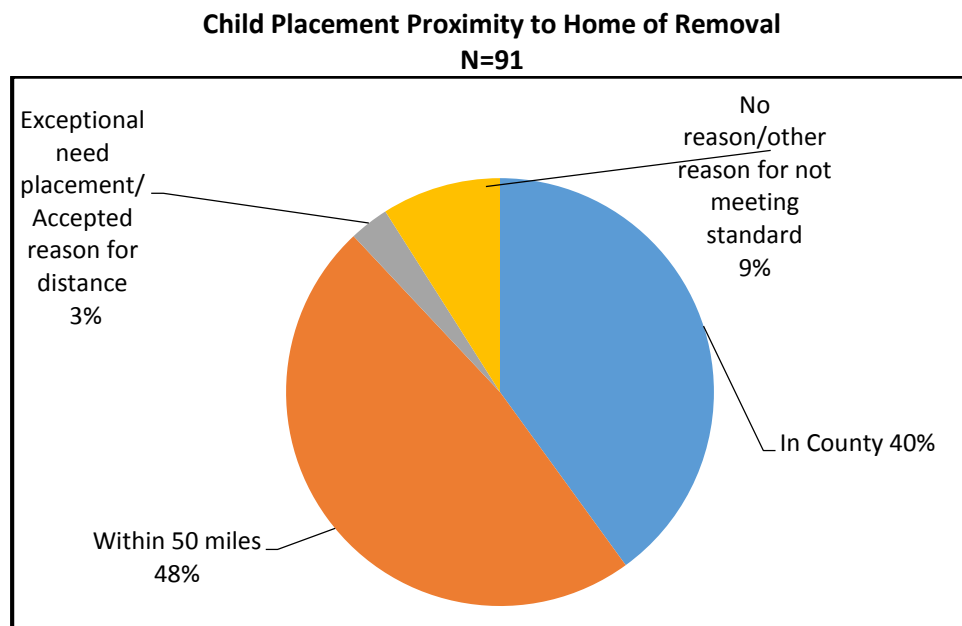
²⁸ See p. 35, Outcome 19, of the Consent Decree.

- Children is in an adoptive placement; and
- Children placed with parent/guardian.

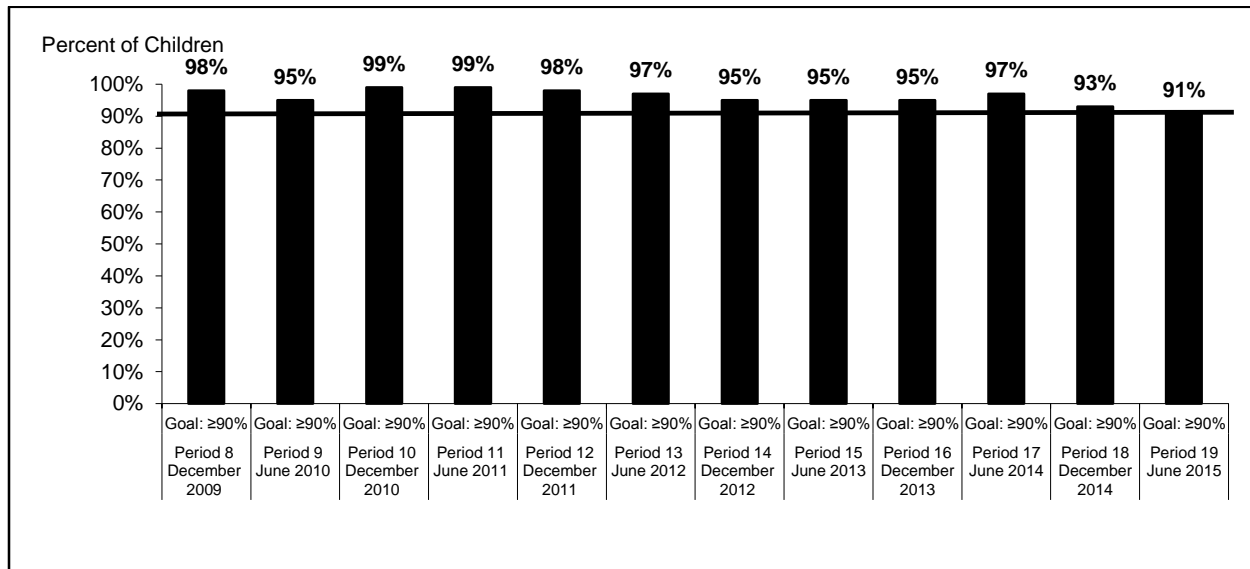
State Performance

- ***The State Surpassed the Outcome 19 Threshold***

During Period 19, out of the 91 children in the sample, the State placed 36 children (40%) within their home county; 44 children (48%) within a 50-mile radius of the home from which they were removed; three children (3%) had exceptional needs that required placement further away; and eight children (9%) were not placed in proximity to their homes of removal. Thus, the State's performance for Period 19 was **91 percent**. This data is displayed in the pie chart below, followed by a graph depicting the state's performance over the past 12 reporting periods.



Source: Foster Care Case Record Review for January 1 - June 30, 2015.

Twelve Reporting Periods of State Performance on Outcome 19

Source: Review Period Foster Care Case Record Reviews, July 1, 2009 – June 30, 2015.

Outcome 15 – Permanency Actions for Children Reaching Their 15th Month in Custody of Most Recent 22 Months

The Consent Decree Outcome 15 stipulates that 95 percent of children who reach their 15th month in care will have had either: 1) a petition for the termination of parental rights filed against both parents or legal caregivers, as applicable; or 2) a compelling reason documented in the case record as to why such action is not in the best interest of the child.²⁹

Under federal regulations and state law, there are three exceptions to the requirement that TPR petitions be filed after the 15th of 22 months in care. . They are:

- The child is being cared for by a relative;
- The State has documented a “compelling reason” that filing a petition to terminate parental rights would not serve the child's best interests; (the allowable exception noted above) or
- The State has not made “reasonable efforts” to reunify the family.³⁰

Federal regulations state and DFCS policy advises that a “compelling reason” must be based on the individual case circumstances guided by what is in the best interest of the child.³¹

²⁹ See p. 34, Outcome 15, of the Consent Decree.

³⁰ Adoption and Safe Families Act, see also Social Services Manual Chapter 1000, Section 1002.7, Georgia Department of Human Services.

³¹ See Social Services Manual, Section 1002.12.3, 1002.17, and 1013.11, Georgia Department of Human Services.

The measurement of Outcome 15 is based on the entire population of children who, in Period 19, reached or exceeded their 15th month in custody out of the previous 22 months. As in previous periods, the Accountability Agent and the Monitoring and Technical Assistance Team (MTAT) reviewed the compelling reason provided for each child and compared it to past information. Information provided by the counties was also verified using data from the Period 19 review of 91 randomly selected foster care case records.

During Period 19, 622 children had reached or surpassed their 15th month in custody out of the previous 22 months. A group of 87 children (14% of 622), was excluded from the Outcome 15 performance measurement based on the placement of these children with relatives, as allowed under Federal law.

State Performance

- **The State Did Not Meet the Outcome 15 Threshold**

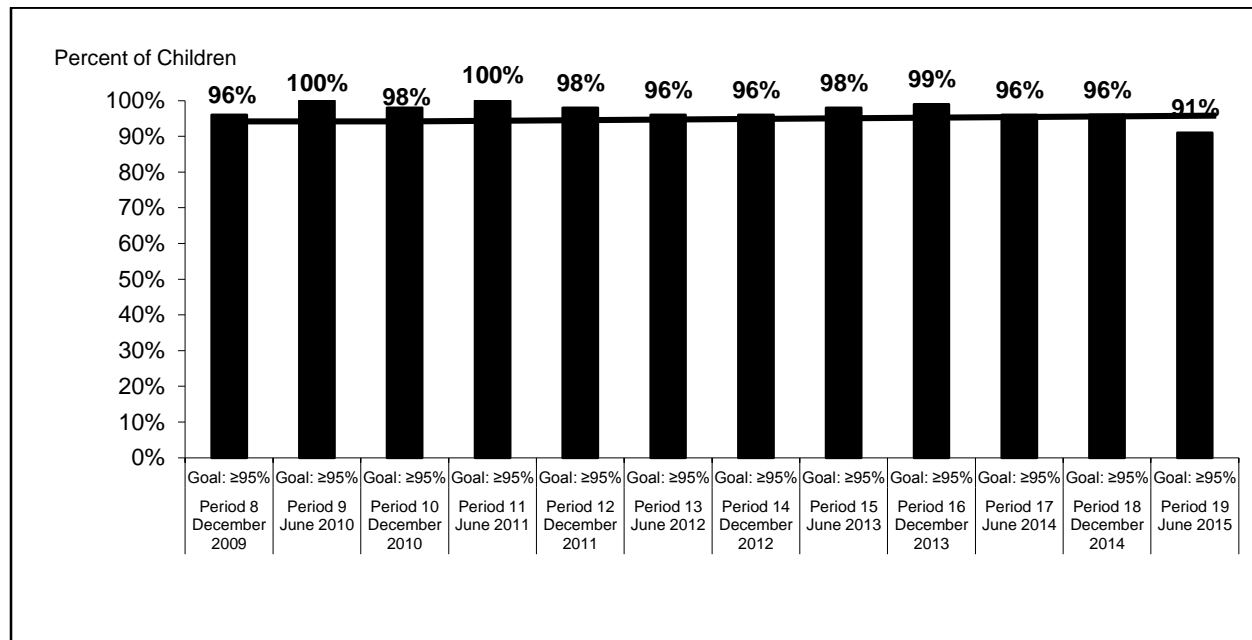
By June 30, 2015, **91 percent** of the children in care 15 of the previous 22 months were legally free to be adopted or the State had filed petitions to terminate parental rights or documented compelling reasons why it had not taken such action. This is a decrease from the Period 18 performance of 96 percent. The chart below summarizes the different components of the counties' Period 19 performance, drawn from the data in their tracking systems. The graph that follows displays the State's performance on Outcome 15 for the 12 most recent reporting periods.

**Status of Children Who Had Been in DFCS Custody 15 of the previous 22 months
As of June 30, 2015**

REGION 14 P19			Total		
			Number	Percent	Cumulative
Children who reached or surpassed their 15th month in custody of the past 22 months between January 1 and June 30, 2015.			622		
<i>Children placed with relatives</i>			<i>87</i>		
<i>The State has not made reasonable efforts to reunify the family</i>					
Number of Children for Outcome 15 Measurement			535		
Parental Rights of Both Parents have been terminated or relinquished			175	33%	33%
DFCS has filed a petition to complete the termination of the parental rights of both parents where applicable.			87	16%	49%
There is a documented compelling reason for not terminating parental rights.			226	42%	91%
	Reasons cited for not terminating parental rights	Number			
A1	There is a permanency goal of return home, approved by the Court and the child is expected to be reunited with parents within 6 months.	78			
A2	The child is a specified age (14) or older and objects to being adopted	87			
A3	The child has severe emotional or behavioral problems or a serious medical conditional and reunification remains an appropriate goal.	21			
A4	The child has a permanency goal other than adoption and is expected to achieve that goal within 12 months of establishing the goal.	27			
A5	Parents are deceased, or have voluntarily relinquished rights.	10			
A8	The child is an unaccompanied refugee minor as defined in 45 Code of Federal Regulations 400.11.	0			
A11	The child is a child of a teen mother who is also in the State's custody.	3			
A12	There are plans to terminate parental rights, but a petition had not yet been filed as of June 30, 2015 or date of discharge.	47			

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**Twelve Reporting Periods of State Performance on Outcome 15:
Children in Care 15 of the Previous 22 Months have Petitions for Terminating Parental Rights
or a Compelling Reason Not to Terminate Parental Rights**



Source: SHINES

Outcome 27 – Timely Semi-annual Judicial or Administrative Case Plan Reviews

Outcome 27 requires that at least 95 percent of the children have timely semi-annual reviews of their case plans. Children are expected to have case plans developed within 30 days of entering State custody. In accordance with the Consent Decree, the court or a designated panel must review these case plans within six months of entering foster care and every six months thereafter the child is in custody.³²

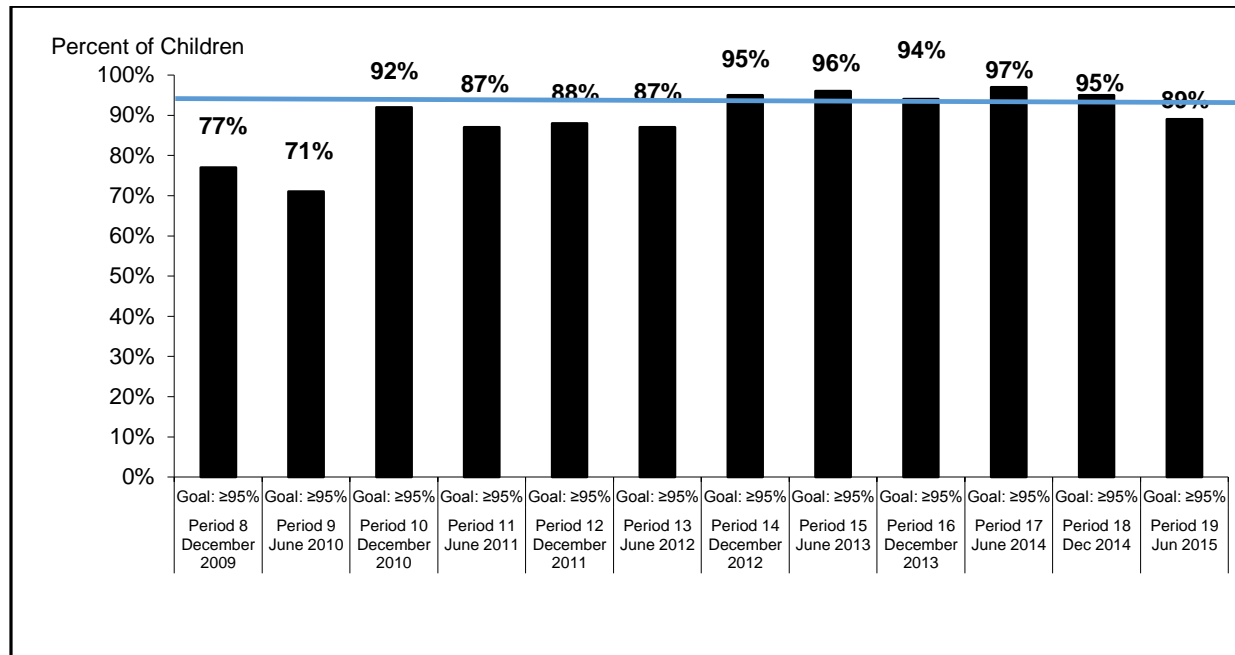
State Performance

- The State Did Not Meet the Outcome 27 Threshold***

For 65 of the 91 children in the foster care sample who had been in custody for six months or more by the end of the reporting period, case file documentation indicates that 58 children (**89%**) had documented timely plan reviews completed by the Juvenile Court or Judicial Citizen Review Panel (JCRP), or a timely request for such a review.

³² See p. 7, paragraphs 4A.4 and pp. 7-8, paragraphs 4B.1-6, and p. 37, Outcome 27, of the Consent Decree.

**Twelve Reporting Periods State Performance on Outcome 27:
Timely Semi-Annual Judicial/Citizen Panel Case Reviews**



Source: Review Period Foster Care Case Record Reviews, July 1 2009– June 30, 2015.

Among the 65 six-month reviews, only 21 (32%) of mothers, 10 (15%) of fathers, eight (12%) of children and 15 (23%) of relatives participated. Participation in these reviews is such an important factor in achieving timely permanency. The lack of participation during the reviews in Period 19 may reflect a lack of engagement between the agency and families. More information regarding these reviews is displayed in the chart below.

Characteristics of Six-month Case Reviews
N= 65
(Most recent plans reviewed between January and July, 2015)

Characteristic				Number	Percent	
Participants						
	Birth Mother			21	32%	
	Birth Father			10	15%	
	Child			8	12%	
	Relative caregivers/ Extended Family Members/ Informal Supports			15	23%	
	Foster parents/placement providers			13	20%	
	DFCS case manager			51	78%	
	DFCS supervisor			12	18%	
	Other DFCS representative			0	0%	
	CCFA provider			0	0%	
	Private agency social worker			5	8%	
	Medical and mental health professionals			5	8%	
	Parents’ attorney(s)			24	37%	
	SAAG (Special Assistant Attorney General)			25	38%	
	Child’s advocates (attorney, Guardian Ad Litem, CASA volunteer, Child Advocate) – at least one per child			56	86%	
Elements Evaluated/Considered						
	Necessity and appropriateness of child’s placement			46	71%	
	Reasonable efforts made to obtain permanency			48	74%	
	Degree of compliance with specific goals and action steps			42	65%	
	Progress made in improving conditions that caused removal			36	55%	
	Changes that need to be made to plan			6	9%	
	County recommendations			15	23%	
	Parent recommendations			0	0%	
JCRP conducted review (percentage based on n=65)				35	54%	
	Total JCRP reports submitted (percentage based on n=35)		27	77%		
		Number of reports with Panel findings (percentage based on n=35)	27	77%		
		Number of reports with Panel recommendations (percentage based on n=35)	27	77%		
		Number of reports with County findings (percentage based on n=35)	24	69%		
		Number of reports with County recommendations (percentage based on n=35)	21	60%		
Court conducted review (percentage based on n=65)				29	45%	
Plan adopted by Juvenile Court (percentage based on n=65)				39	60%	

Source: Case Record Review for January 1 – June 30, 2015.

Outcome 28 – Timely Annual Judicial Permanency Reviews

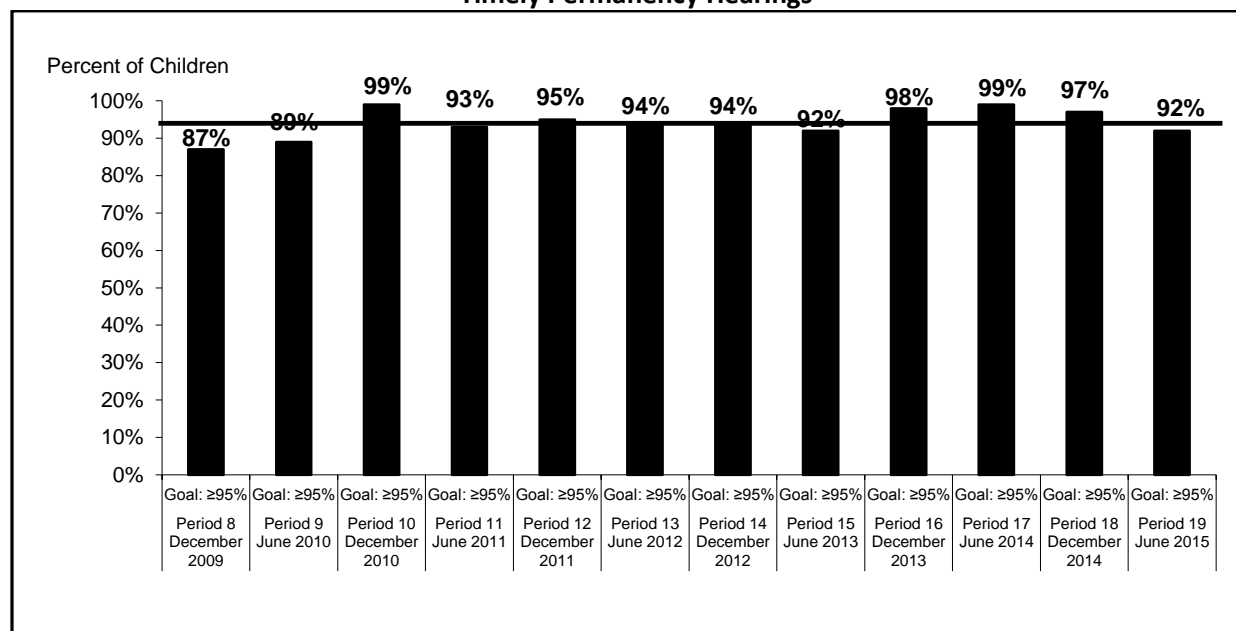
According to Federal and State policy and the Consent Decree, children are expected to have a judicial permanency hearing at least every 12 months they are in custody.³³ These hearings are held to determine whether the State is making reasonable efforts to help children achieve permanency. The performance threshold for Outcome 28 is 95 percent.

State Performance

- ***The State Did Not Meet the Outcome 28 Threshold***

During Period 19, 36 out of 39 children, 92 percent of children had a judicial permanency hearing in accordance with the Consent Decree. Depicted below is the state's performance over the past 12 reporting periods.

**Twelve Reporting Periods of State Performance on Outcome 28
Timely Permanency Hearings**



Source: Review Period Foster Care Case Record Reviews, July 2009 – June 2015.

³³ See p. 9, paragraph 4B.10, and p.37, Outcome 28, of the Consent Decree.

PART FIVE - WELL-BEING

The Consent Decree establishes six outcomes that are related to children's well-being. This part reports on the State's performance on the two outcomes (17 and 30) not discussed in the Period 19 Preliminary Data Report released in October 2015.

Outcome 17 – Placement Stability

With Outcome 17, the Consent Decree establishes a threshold for placement stability by requiring that at least 95 percent of children in custody have two or fewer placement moves during the most recent 12 months in custody.³⁴ For purposes of this measure, runaway episodes, hospitalizations for medical treatment or psychiatric diagnosis or crisis intervention, trial home visits, respite care, and detention in locked facilities are not considered placements. The measurement of Outcome 17 performance is based on the sample of 91 children in foster care at any time between January 1 and June 30, 2015.

State Performance

- ***The State Failed to Meet the Outcome 17 Threshold***

During Period 19, 70 out of 91 children (**77%**) experienced two or fewer placement moves during the most recent 12 months in custody. Displayed in the chart below are additional data for Period 19.

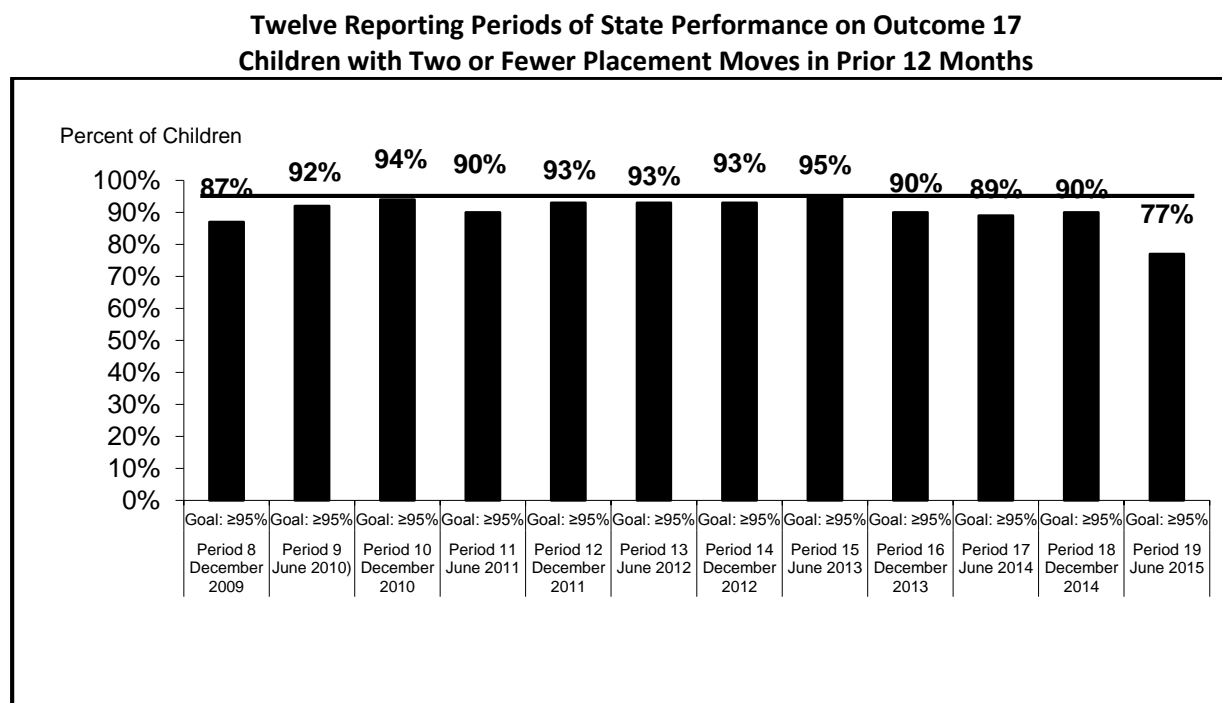
**Number of Placement Moves Experienced by Children in the 12 months prior to
May 31, 2015 or the Last Date of Custody**

Number of Moves	Number	Percent	Cumulative Percent
No Moves	42	46%	
One Move	21	23%	69%
Two Moves	7	8%	77%
Subtotal	70		
Three Moves	12	13%	90%
Four Moves	1	1%	91%
Five Moves	2	2%	93%
Six Moves or more	6	7%	100%
Total	91		

Source: Foster Care Case Record Review for January 1 – June 30, 2015.

³⁴ See p. 35, Outcome 17 of the Consent Decree.

The Period 19 performance (77%) marks a significant decline from the Period 18 performance (90%) and marks the worst performance in the past 12 reporting periods. This data is depicted in the graph below.



Source: Review Period Foster Care Case Record Reviews, January 1- June 30, 2015.

Outcome 30 – Meeting the Needs of Children as Identified in their Case Plans

The Consent Decree specifies that the needs to be considered for achieving Outcome 30 are those medical, dental, mental health, educational and other needs identified in the child's most recent case plan.³⁵ Case plans are to be developed within 30 days of a child's entry into foster care and updated every six months thereafter. The performance threshold for this outcome is 85 percent, and requires that all identified needs are met. Thus, partial compliance does not count toward meeting the threshold standard. The measurement of Outcome 30 performance is based on the sample of 91 children in foster care at any time between January 1 and June 30, 2015.

Among the 91 children in the sample, 85 children had one or more case plans in their records. Two of the six children who did not have case plans in their records had been in custody fewer than 30 days during the review period and a completed plan was not yet required. Of the 89

³⁵ See p 38, Outcome 30 of the Consent Decree.

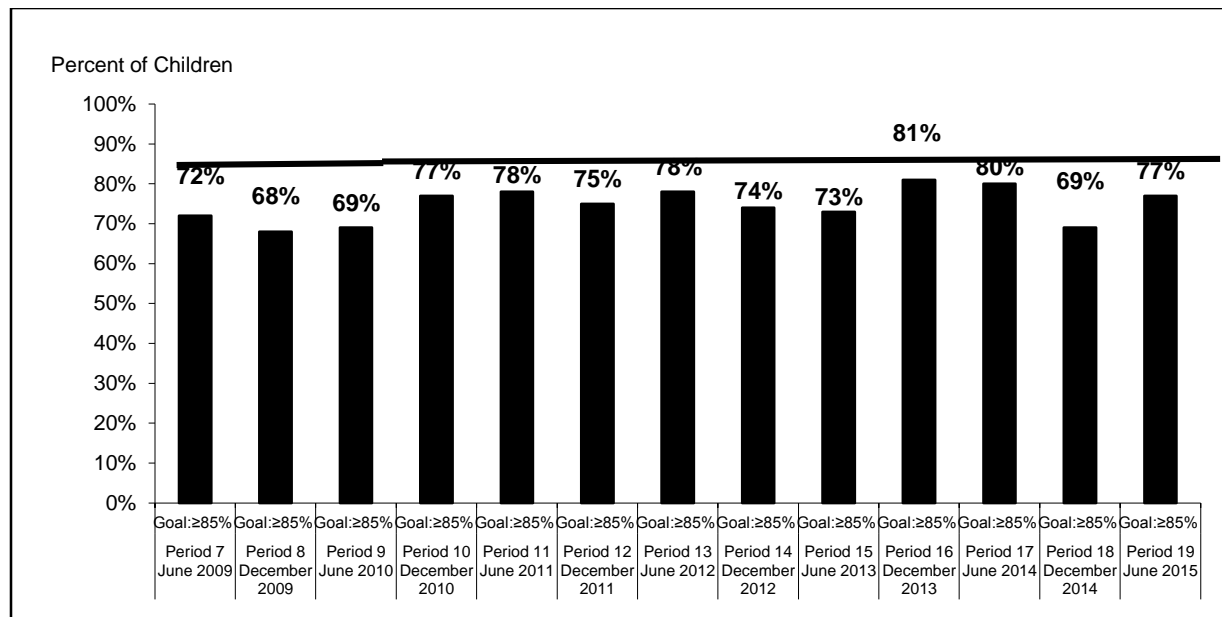
children who should have had case plans, 81 (91% of 89) were current – they had been developed within seven months of May 30, 2015 or the child’s discharge date. Another four (4% of 89) were seven to 12 months old and none were over 12 months old. The outcome performance is based on 85 children who had complete plans, even if they were not up-to-date. Eighty-three of these case plans identified needs of the children.

State Performance

- **The State Fell Short of the Outcome 30 Threshold**

Based on case file documentation and reviewer judgment, **64** children (**77%**) of 83 children with needs identified in their case plans had all the plan-identified needs met. The graph below displays the State’s performance over the last 12 reporting periods.

**Twelve Reporting Periods of State Performance on Outcome 30:
Children with All Plan Identified Needs Met**



Source: Reporting Period Foster Care Case Record Reviews, January 2009 – June 2015.

The chart below provides a breakdown of the needs identified and the percentage of needs met in each category during Period 19. Only 77 percent of children with identified dental health needs received the needed services.

Proportion of Children with Needs Identified in Most Recent Case Plans and the Proportion with Needs Met, as of June 30, 2015 or last Date of Custody

Children with Case Plans n=85			Children Received/Receiving Services n varies depending on need identified		
	Number	Percent		Number	Percent of identified need
One or More Need Identified (routine or child-specific)	83	98%	All Identified Needs Met (n=83)	64	77%
Frequency of different identified needs			Frequency of different needs being met		
Medical	83	98%		74	89%
Dental	83	98%		64	77%
Mental Health	60	71%		53	88%
Educational/ Developmental	83	98%		74	89%

Source: Case Record Review, January 1 – June 30, 2015.

1. Initial Screenings For Children Entering Care

a. Initial Health and Dental Screenings

The State's overall performance on initial health and dental screenings is measured by the subsample of children who entered care and had been in custody at least 10 days. During Period 19, 32 children out of the sample of 91 cases entered care during the period and remained at least 10 days.³⁶ As in previous reports, caution should be exercised in interpreting these and other results drawn from the subsample of children who entered care because the sample size is very small and they were not randomly selected from the entire population entering custody during the period.

As shown in the chart below, only five children (16%) had documented health screens within 10 days of entering care. When the ten-day time frame is relaxed, 27 of the 32 children (85%) received an initial health screen. For those children whose health screens fell outside the 10-day window, the elapsed time ranged from 11 to 129 days. Five children did not receive initial health screens.

One child (3%) had a documented dental screen within 10 days. The total proportion receiving an entry dental screening was 67 percent. The 20 children who received their initial dental screens late, received those 11 to 90 days after entering care. Eleven children have no documented initial dental screens in their files.

**Initial Health and Dental Exams at Foster Care Entry:
January 1 - June 30, 2015
N=32**

<i>Screen</i>	Number	Percent	Cumulative Percent
<i>Initial Health Screen At Foster Care Entry</i>			
Received within 10 days	5	16%	
Received, but not within 10 days (11 to 129 days)	22	69%	85%
No initial health screen received by June 30, 2015	5	15%	100%
Total	32	100%	
<i>Initial Dental Screen At Foster Care Entry</i> (includes infants for a "gum check")			
Received within 10 days	1	3%	
Received, but not within 10 days (11-90 days)	20	63%	67%
No initial dental screen received by June 30, 2015	11	34%	100%
Total	32	100%	

Source: Case record review, January 1 – June 30, 2015.

Due to the low performance on initial health and dental screens, the counties have collaborated with Amerigroup to offer a mobile health clinic in the parking lot of the agency once a week. Thus, when children enter care, they are taken to the mobile health clinic for their health and dental screenings during their first week in care. MTAT will monitor this intervention and analyze its effectiveness during the Period 20 report.

b. Initial Developmental /Mental Health Assessment

The Consent Decree requires that all children under the age of four years receive a developmental assessment in compliance with EPSDT standards within 30 days of placement.³⁷ Children four years of age or older are expected to receive a mental health screening in

³⁷ See p. 20, paragraph 6A.3 of the Consent Decree.

compliance with EPSDT standards within 30 days of placement.³⁸ Within the sample of 91 children in foster care in Period 19, 13 children were younger than age four, were in custody at least 30 days, and entered care on or after January 1, 2015.³⁹ Eighteen children in the foster care sample were age four or older, remained in care 30 days or more, and entered DFCS custody on or after January 1, 2015.

Seven children under the age of four did not receive a developmental assessment; only three were completed within 30 days. The 3 children who did not receive developmental assessments within 30 days had them completed between within 97 days after entering custody. The total percentage of children under four years of age who received their initial developmental assessment decreased from 76 percent in Period 18 to 46 percent in Period 19.

For children over the age of four, there were 3 children in custody 30 days or more who did not have mental health assessment; 10 were completed within 30 days, which is 56 percent compared to the 41 percent completed within 30 days during Period 18. Five children had the assessment completed between 31 to 119 days after entering care. The chart below summarizes this information.

**Initial Developmental and Mental Health Assessments at Foster Care Entry:
November 1, 2014 – May 31, 2015
N=varies depending on the assessment**

Assessment	Number	Percent	Cumulative Percent
Initial Developmental Assessment (children younger than age 4) (n=13)			
Received within 30 days	3	23%	
Received, but not within 30 days (31-97 days)	3	23%	46%
No initial Developmental Assessment received	7	54%	100%
Total	13	100%	100%
Assessment	Number	Percent	Cumulative Percent
Initial Mental Health Assessment (children aged 4 and older) (n=18)			
Received within 30 days (includes pre-assessments)	10	56%	
Received, but not within 30 days 31 to 119 days)	5	28%	84%
No Initial Mental Health Assessment	3	16%	100%
Total	18	100%	100%

Source: Foster Care Case Record Review, January 1 – June 30, 2015.

³⁸ See p. 20, paragraph 6A.3 of the Consent Decree.

³⁹ In order to have a larger pool of children in the sample for whom the responsiveness to identified needs could be measured, the record review was designed to collect information on children who entered custody in December 2014 and, therefore, had sufficient time for identified needs to be addressed in Period 19.

c. Initial Case Plans

Twenty-Six (93%) of the 28 children entering custody during the reporting period and remaining more than 30 days had an initial case plan developed by June 30, 2015 or their last date in custody. Twenty-One of the 26 (81%) were completed within 30 days of entering care, 4(15%) were completed between 31 and 60 days, and 1 (4%) were completed greater than 60 days.

2. Periodic Health and Dental Screening

In addition to requiring health and developmental assessments when a child enters foster care, the Consent Decree requires all children to receive periodic health screenings⁴⁰ in accordance with the Early and Periodic Screening, Diagnosis and Treatment Program (EPSDT)/Georgia Health Check Program standards.⁴¹ DFCS' performance with respect to meeting these standards is discussed below. The case record review of 91 children in placement collected information about the timeliness of the required routine health and dental examinations provided (often referred to as "well-child" care) during their time in custody.

Overall, 88 of the 91 children (96%) appeared to be current with their "well child" visits as of June 30, 2015 because of receiving a required health screen prior to or during reporting Period 18; or receiving a health screen during Period 19 that brought them up-to-date. This is similar to the proportion found in Period 18 (97%). The chart below displays this information.

Status of Health Screening for Children⁴² January 1 – June 30, 2015 N=91

Component and Action	Number	Percent	Cumulative Percent
No health screen required during period, children current with health check-ups during entire period	28	30%	
Children receiving timely health screens (according to EPSDT schedule) between January 1 and June 30, 2015	60	66%	96%
Required well child health screen(s) not received between January 1 and June 30, 2015	4	4%	100%
TOTAL	91	100%	

Source: Foster Care Case Record Review, January 1 – June 30, 2015.

⁴⁰ See p. 30, paragraph 13A in the Consent Decree.

⁴¹ See p. 20, paragraphs 6A 1 and 2, and p.21, 6B, paragraphs 1-8 of the Consent Decree.

⁴² Includes initial health screens completed for children entering foster care in Period 18. EPSDT components are not always documented, see narrative.

As reflected in chart below, routine dental screenings were assessed for 91 children, with separate analysis for children over and under the age of three as of June 30, 2015.⁴³ Overall, 57 of the 73 children (78%) who required a dental screen were either current or received their dental screens during Period 19. This is a significant decline from the performance of 84 percent during Period 18. Twenty-two (30%) of these exams were not done timely. For children under the age of three, 15 out of 18 (93%) were either current or received their oral health screen during Period 18. Six children received a late initial oral health screen.

The dental screen documentation consisted of either a dental report from a dental care provider, case manager notes, a reference in a Comprehensive Child and Family Assessment (CCFA), an entry in the SHINES health log or a combination of these forms.

Status of Dental Screening⁴⁴
January 1- June 30, 2015
N=91

Component and Action Children aged 3 and older n=73	Number	Percent	Cumulative Percent
No annual dental exam required during period, children current with annual requirement during entire period	18	25%	
Children receiving a timely annual dental exam during period	17	23%	48%
Received more than 12 months after previous exam	4	5%	53%
Initial received more than 10 days after entering foster care	18	25%	78%
Required annual (or initial) dental exam not received as of June 30, 2015	16	22%	100%
TOTAL	73	100%	100%
Component and Action Children under the age of 3 N=18	Number	Percent	Cumulative Percent
No annual oral health screen due during entire period	1	6%	
Received a timely initial or annual oral health screen	8	44%	50%
Received a late initial oral health screen	6	33%	83%
No annual oral health screen	3	17%	100%
TOTAL	18	100%	100%

Source: Foster Care Case Record Review, January 1 – June 30, 2015.

⁴³ The Consent Decree stipulates that “all children age 3 and over shall receive at least one annual screening in compliance with EPSDT standards...” see Section 6B paragraph 8 on p.21. Children younger than age 3 may have oral exams as part of their regular well-child visits and documentation of this component has improved sufficiently to provide the separate analysis.

⁴⁴ Includes initial dentals for children entering foster care in Period 19.

PART SIX – STRENGTHENING THE SERVICE DELIVERY INFRASTRUCTURE

Several of the Consent Decree requirements focus on DHS/DFCS organizational capabilities, with the intent of enhancing or creating capacity thought to be instrumental to the achievement of desired outcomes. This includes specialized staff, caseload sizes, workforce skill development, and having the resources and services to meet needs. This part reports on the progress of the State in meeting Outcomes 25, 26 and 31 as well as capacity requirements.

Effective Oversight of Placement Settings: Outcomes 25 and 31

Outcome 25 - Approved Placement Settings for Children

Outcome 25 stipulates that, “By the end of the tenth reporting period, at least 98% of all foster placements serving class member children shall be in full approval and/or licensure status. Measurement of performance is based on the entire universe of out-of-home care placements subject to a DHS licensure or approval process. In computing this percentage, each placement shall be weighted by the approved and/or licensed capacity of that placement.”⁴⁵

State Performance

- **The State Did Not Meet the Outcome 25 Threshold**

At the end of Period 19, 676 of 740 placements subject to a DHS approval or licensure process were in full approval and/or licensure status. These placements had an approved or licensed capacity of 3192 children while the capacity of all placements with a child in care on June 30, 2015 was 3321 children; yielding an Outcome 25 measurement of 96.1%. State leadership has set a goal of placing 50 percent of children in fully licensed relative homes. However only 73.9 percent of relative placements were in full approval/licensure status on the last day of the period. Thus, figuring out the barriers to getting relatives approved will be essential. Additional detail on this measurement appears in the chart below, followed by a graph that displays the State’s performance over the past 12 reporting period.

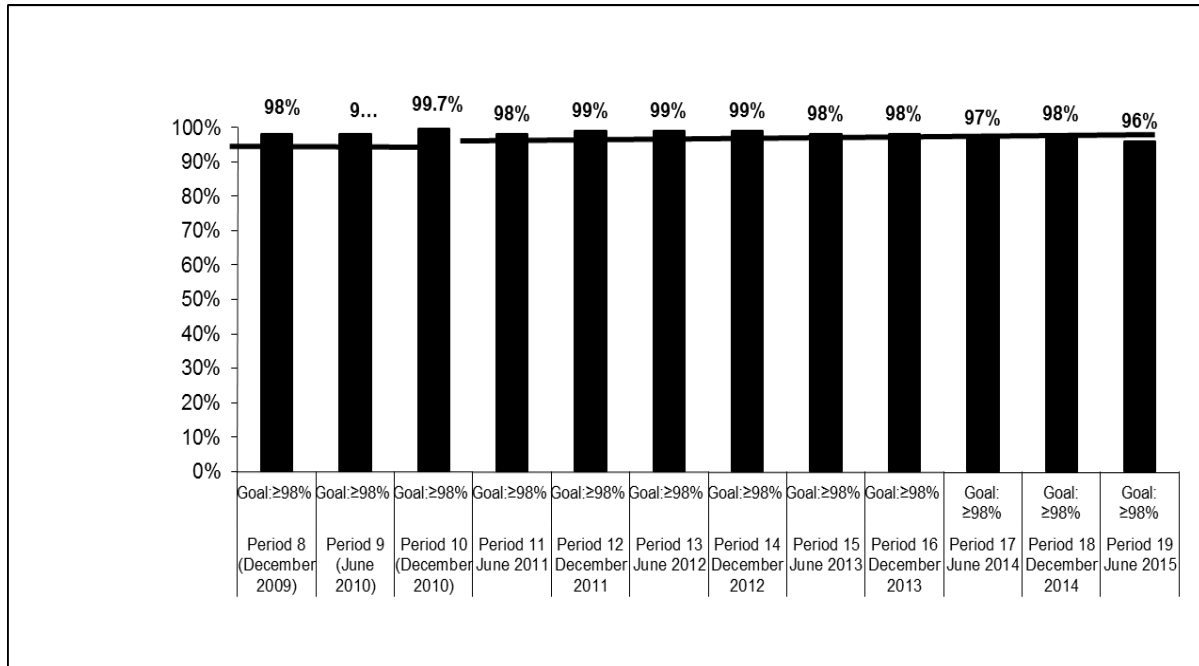
⁴⁵ See p. 4, *Kenny A. v Perdue*, Stipulated Modification of Consent Decree, 1:02-CV-01686-MHS, effective November 22, 2010.

Outcome 25 – Placements in Full Approval Status

Placement Type	Number of Placements with a Class Member in Care on 06/30/2015	Number of Placements with a Class Member in Care on 06/30/2015 that were in Full Approval Status	Overall Capacity of Placement Settings with a Class Member in Care on 06/30/2015	Capacity of Placements with a Class Member in Care on 06/30/2015 that were in Full Approval Status	Capacity of Placements in Full Approval Status as a Percentage of Overall Placement Capacity
Relative Placement	156	110	251	187	74.5%
DFCS - supervised Foster Home	108	108	255	255	100%
Provider - supervised Foster Home	375	358	1034	975	94.3%
Child Caring Institution	101	100	1781	1775	99.7%
Total	740	676	3321	3192	96.1%
Excludes 52 children in State custody on 6.30/2015 that were in settings with no relevant approval process (22 were in Psychological Residential Treatment Facilities, 14 were on runaway, 8 were placed with a birth parent/guardian, 6 in Metro RYDC and 2 children were hospitalized.					

Data source: SHINES

**Twelve Reporting Periods of State Performance on Outcome 25
Children Placed in Settings that are in Full Approval and/or Licensure Status**



Periods 8-9: Percent of Children in Placements in Full Approval Status/Periods 10-19: Percent of Placements in Full Approval Status

Sources - Periods 8-9: Placement file reviews, Georgia's ICPC records, child placing agency records, and SHINES; Periods 10-19: SHINES.

Outcome 31 – Foster Home Capacity Limits

Outcome 31 stipulates, “By the end of the tenth reporting period and continuing thereafter, no more than ten percent of all foster family home placements serving class member children at any time during the reporting period shall exceed the capacity limits referenced in Section 5.C.4.e. of this Consent Decree...”^{46,47} The measurement is based on the entire universe of family foster homes that had a class member child in care on the last day of the reporting period.

⁴⁶ See p. 4, *Kenny A. v Perdue*, Stipulated Modification of Consent Decree, 1:02-CV-01686-MHS, effective November 22, 2010.

⁴⁷ The Section 5.c.4.e capacity limits provide that “No child shall be placed in a foster home if that placement will result in more than three (3) foster children in that foster home, or a total of six (6) children in the home, including the foster family's biological and/or adopted children.... The only exception to these limits shall be circumstances in which the placement of a sibling group in a foster home with no other children in the home would exceed one or more of these limits.” See p. 16 of the Consent Decree.

State Performance

- **The State Surpassed the Outcome 31 Threshold**

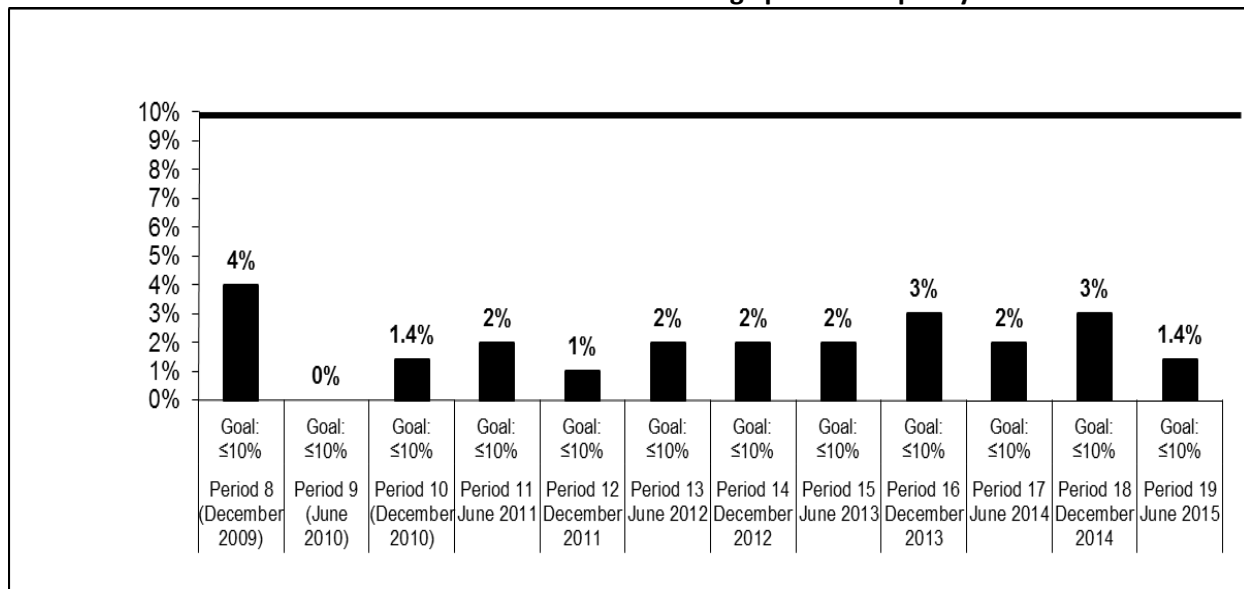
Of the 988 family foster homes that had a child in care at any point during the period January 1 to June 30, 2015, 483 (48%) continued to have one or more children placed in them on June 30, 2015. Seven of these 483 foster homes (**1.4%**) exceeded the Consent Decree's capacity limits. The chart below provides additional information regarding these homes, followed by a graph of the state's performance over the past 12 reporting periods. This is the 19th consecutive period in which the state has surpassed the ten percent threshold.

Outcome 31 – Foster Homes Exceeding Capacity Limits**N = 483**

	Placement Type	Foster Homes with One or More Children in Care at Any Time During Period 19	Foster Homes with One or More Children in Care on 06/30/15	Foster Homes with > 3 Foster Children on 06/30/15	Foster Homes with ≥ 6 Children in Total on 06/30/2015	Number of Foster Homes with > 3 Foster Children and/or ≥ 6 Children in Total on 06/30/15	Percent of Foster Homes with > 3 Foster Children and/or ≥ 6 Children in Total on 06/30/2015
DFCS & Relative FHs	DFCS - Supervised Foster Homes	169	108	0	0	0	0.0%
CPA Homes	Provider Supervised Foster Homes	819	375	6	1	7	1.9%
	Total	988	483	6	1	7	1.4%

Data Source: SHINES

**Twelve Reporting Periods of State Performance on Outcome 31
Children are Not in Foster Homes Exceeding Specified Capacity Limits**



Periods 8-9: Percent of Children in Placements in Full Approval Status/Periods 10-19: Percent of Placements in Full Approval Status

Timely and Complete Court Orders for Placement Authorization: Outcome 26

Outcome 26 – Required IV-E Language in Court Orders

Outcome 26 requires DFCS to have the proper documentation and language in at least 95 percent of children's court orders to support an appropriate claim for Federal reimbursement under the Title IV-E program.⁴⁸ Measurement of performance is based on a record review of a sample of 91 children in foster care.

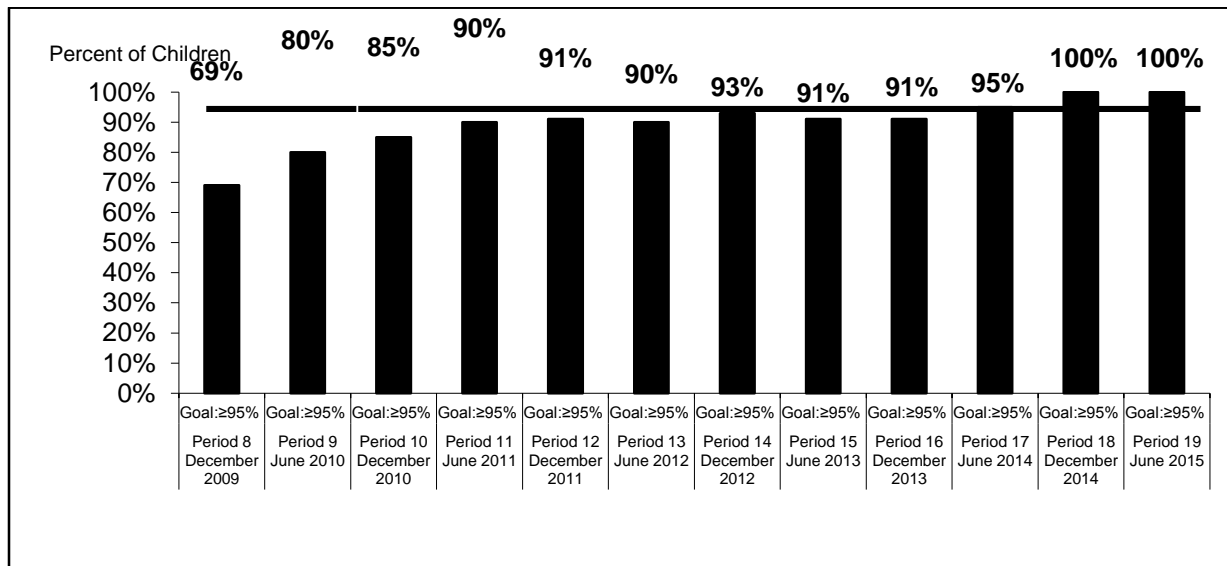
⁴⁸ See pp 36-37, Outcome 26 of the Consent Decree.

State Performance

- **The State Surpassed the Outcome 26 Threshold**

For Outcome 26, each of the 91 children in the Period 19 placement sample (**100%**) had court orders with all the required language necessary to assess current eligibility for federal funding under Title IV-E. This is the second consecutive time that the state has achieved 100 percent. The graph below displays the State's performance on Outcome 26 over the last 12 reporting periods.

Twelve Reporting Periods of State Performance on Outcome 26
Court Orders Contain Required Language to Support IV-E Funding Claims



Source: Review Period Foster Care Case Record Reviews, July 2009 – June 2015.

Appendix

Data Sources and Methodology for Measuring State Performance in Reporting Period 19

The Accountability Agent and the Monitoring and Technical Assistance Team (MTAT) used several methods to arrive at the judgments, conclusions and recommendations contained in this report: (1) review of written materials and data supplied by the State and Counties; (2) interviews; (3) extensive case record reviews; and (4) strategic engagement of State and county personnel for pro-active, hands-on monitoring through bimonthly meetings known as G2 meetings. This appendix describes these data sources and methods.

Four primary sources of information were used to assess the State of Georgia's progress during Period 19, January-June 2015. The challenge for data collection and analyses in Period 19 was the continued need to use both SHINES, the statewide-automated child welfare system and paper files. Fulton and DeKalb Counties implemented SHINES in June 2008 and ended all new data entry into the previous system, IDS, on May 28, 2008. Children who entered custody before the conversion to SHINES may have extensive paper files and even those entering after the switch to SHINES have paper files with external documentation that has not been scanned into SHINES. The timeliness of scanning external documentation into SHINES is improving but record reviews still generally need both the paper documentation and SHINES access to complete all data collection.

1. State Data System – SHINES

The first source of information is the DFCS administrative data that is housed in Georgia SHINES.

Like all information systems, the accuracy of SHINES data is a function of the accuracy with which data are coded and input into the system. Most identified discrepancies appear to be caused by human error. Typically, mistakes in interpretation and coding of the facts contained in the case record or data entry result in erroneous data being entered into the system.

2. Document Review and Interviews

During the monitoring period, the Accountability Agent and the Monitoring and Technical Assistance Team collected written reports and materials including, but not limited to foster care and adoption policy, provider reporting and the use of hotels. At the local county level, interviews were conducted primarily with county leadership. At the state level, interviews were conducted with top leaders, members of the Knowledge Management Team, Kenny A. leads, and persons responsible for training and education, quality assurance and provider management.

3. Structured Case Record Reviews

A third source of information is systematic case record reviews. Four case record reviews were

conducted: 1) all investigations of maltreatment-in-care during the period; 2) foster home approval and capacity, 3) children in foster care placements who entered foster care at any time up to June 30, 2015, and 4) children in foster care placements during the period. The chart below summarizes sample characteristics of each review. The following discussion provides more detail on the sampling approach, review instrument design, review logistics, reviewer qualifications and training, quality assurance, and analytical processes.

a. Sampling Approach

As indicated in the chart below, 100 percent of the investigations of maltreatment-in-care completed between January 1 and June 30, 2015 were read. Therefore, observed differences in these results do not reflect sampling error.

For the three other case record reviews, random samples were drawn from two different universes:

- All foster homes that had a DeKalb or Fulton child placed in the home at any time between January 1 and June 30, 2015. This included private agency supervised homes as well as DFCS supervised homes.
- All foster care cases (children) active in DeKalb and Fulton counties anytime between January 1 and June 30, 2015.
- All foster care cases (children) active in DeKalb and Fulton counties who entered foster care after January 1, 2015 and remained at least 60 days.

For each of these reviews, samples were drawn such that the findings would have no more than a +/- 10% error rate at a 95% confidence level. This sampling methodology was determined to be a reasonable estimation of performance and agreed upon for this streamlined evaluation period.

Target of Review	Universe of Cases	Desired Sample Size	Actual Number of Cases Reviewed	Margin of Error
Investigations of Maltreatment in Care	116	100% of maltreatment in care investigations during period	116	Not Applicable
Foster Homes	571	81	81	+/- 10 percent
Children in Foster Care who entered Foster Care any time before June 2015	1899	91	91	+/- 10 percent

b. Instrument Design

Four separate data collection instruments were used, one for each review. They have been developed over time in conjunction with the DFCS Program Evaluation and Analysis Section and consultants from Georgia State University (GSU) schools of public administration and social work. The instruments were field tested and reviewed by Counsel for the Plaintiffs and by the State; many changes recommended by the reviewers were incorporated into the final instruments. As is typical with case record reviews, reviewers encountered some problems with some of the questions. Learning from each iteration is incorporated into the next case record review.

c. Data Collection Schedule and Logistics

Planning for the data collection effort began with discussions with DFCS and GSU regarding formatting data instruments for efficient data capture and analysis. As in previous periods, each of the review guides was set up as a SAS-based form for electronic information entry directly into a database through a GSU secure web site. This eliminated a separate data entry step.

Records selected from private agencies were reviewed at the respective private agencies. The remaining records for investigations, foster care, and DFCS supervised foster homes were reviewed at the county offices where the active cases are maintained. Closed records were brought to these sites for review.

d. Review Team Qualifications and Training

DFCS staff persons were the primary case readers. These staff members have many years of experience in DFCS and are very familiar with the DFCS's policies and practices. They have been selected over the years for this task based on their skills, experience, and knowledge.

There were training session before commencing these reviews. The training consisted of reviewing and discussing the wording and meaning of each question on the data collection instruments. Additional changes were made to the guides as a result of these discussions.

e. Quality Assurance

Reading accuracy and inter-reader reliability was addressed by an extensive quality assurance process that included constant "calibration" and a "second read" of the records. Two senior DFCS reviewers were designated team leaders. They were responsible for responding to reviewer questions regarding clarification or how to interpret information contained in the record and consulting with the Accountability Agent and MTAT when necessary. These team leaders shared with one another the questions being asked and the responses they were giving to reviewers to assure consistency. In this way, patterns among questions were monitored and instructions were clarified for all reviewers as necessary. Team leaders reviewed each reviewer's work at the completion of each review. Finally, reviewers were encouraged to provide explanatory

comments for their responses if they felt the situation they found did not adequately fit the question being asked or additional detail for some critical questions was desired.

The Georgia State University (GSU) project coordinator and several research assistants with master's degrees in social work or a related field and backgrounds in child welfare and case record review provided an additional level of Quality Assurance (QA). The GSU QA team reviewed 33 percent of the case records reviewed. Review guides that had different responses from the GSU QA staff and the PEAS reviewers were set aside, investigated and resolved as possible by the GSU project coordinator and PEAS team leaders and changes were made to the data set as necessary. Time was set aside in the schedule to review the completed review guides in question and do any necessary clean up.

To calculate inter-rater reliability GSU selected variables from all three files (CPS Investigations, Foster Homes, and Foster Care) where both the reviewers and the QA reviewers had access to the same information in the case file. Each response was not tested for inter-rater reliability. Correlations between the reviewer results and the QA reviewer results were calculated using Cronbach's Alpha to determine how well a set of items, in this case the reviewer responses and the QA reviewer responses, correlate or match. Cronbach's Alpha is not a statistical test - it is a coefficient of reliability (or consistency). Note: when a Cronbach's Alpha is used in a Social Science research situation, like the Kenny A. case review, a reliability coefficient of .70 or higher indicates that there is an almost zero probability that the reviewer and QA reviewer would achieve these results by chance.

The Cronbach's Alpha coefficients for each of the data sets were between .91 and .99. All measures were above the threshold of .70.

f. Data Analysis

Microsoft Excel and SAS software were used for analyzing the collected data and calculating inter-rater reliability. GSU staff assisted in creating descriptive statistics for the Accountability Agent and Monitoring and Technical Assistance Team.

g. Records in Sample that Were not Read

Not all records included in the original samples were reviewed for reasons such as coding errors, identified case not meeting sample criteria, records not located or the case timeframe being too short. The chart below summarizes the reasons for each of the case reviews.

Case Records Drawn from Original Sample, Not Reviewed

Target of Review	Number of cases sampled but not read as part of the review and reason why they were not read	
	Investigation not completed between January 1 and June 30, 2015	1

Maltreatment-in-care Investigations	No child in the legal custody of Fulton and DeKalb Counties was involved in this report	2
	Other	2
	Total	5
Foster Homes	No children were placed in this home between January 1, 2015 and June 30, 2015.	1
	Total	1
Children in Foster Care	Case timeframe too short (child in care 8 days or less)	6
	Child placed out of state through ICPC the entire review period.	1
	Other	2
	Total	9

4. Meetings with the management teams of Fulton and DeKalb County DFCS (G2)

The Accountability Agents met once or twice each month with Fulton and DeKalb directors, senior management, supervisors and case managers, and senior central office staff. These meetings allowed for hands-on monitoring and data verification.