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# PERIOD 22 FINAL DATA REPORT

*Kenny A. v Perdue*

July 1 – December 31, 2016

Accountability Agent

Karen Baynes-Dunning

and the

Monitoring and Technical Assistance Team

Steve Baynes, Elizabeth Black, and Jennifer Miller Haight

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## **PART ONE - INTRODUCTION**

The Accountability Agent prepared this report and the Monitoring and Technical Assistance Team (MTAT) pursuant to the orders entered in the Northern District of Georgia *Kenny A. v. Perdue, Civ. Act. No. 1: 02-CV-1686*, a civil rights class action brought on behalf of children in Fulton and DeKalb counties who are in the custody of the State of Georgia's Division of Family and Children's Services (DFCS). The *Kenny A.* class members are "all children who have been, are or will be alleged or adjudicated deprived who (1) are or will be in the custody of any of the State Defendants; and (2) have or will have an open case in Fulton County DFCS or DeKalb County DFCS."

The *Kenny A.* Consent Decree (Consent Decree) was entered on October 28, 2005 and was modified by agreed orders (docket numbers 612, 687, 740, 747) on December 15, 2008 and November 2, 2015. The most recent modification was filed on November 9, 2016 and entered on December 5, 2016. The newly modified order and exit plan is *Kenny A. v. Nathan Deal, Civ. Act. No. 1:02-CV-01686-TWT*. It requires improvements in the operations of the Division of Family and Children's Services and establishes the outcomes that are to be achieved by the State of Georgia on behalf of children entering or in custody and their families.

### **The Role of the Accountability Agent and the Monitoring and Technical Assistance Team**

The original Consent Decree established a process for accountability through the appointment of James T. Dimas and Sarah Morrison as the Court's independent Accountability Agents. The Consent Decree included a process for replacing these persons should one or both no longer be able to fulfill their duties under the agreement. Using this process, the parties first selected Karen Baynes-Dunning to replace Sarah Morrison, and then created a monitoring and technical assistance team through the appointment of Elizabeth Black, Jennifer Haight, and Steve Baynes in October 2015. This resulted in the establishment of the Monitoring and Technical Assistance Team (MTAT) with Karen Baynes-Dunning as sole Accountability Agent, to replace Mr. Dimas as co-Accountability Agent upon his resignation from the position.

The Accountability Agent and the Monitoring and Technical Assistance Team (MTAT) are responsible for providing public record reports on State Defendants' performance relative to the Consent Decree to the Court and to the Parties. Reports are issued for each six-month reporting period. As discussed in more detail in the section below, the Parties made the decision this past year to "maximize the technical assistance" of the Accountability Agent and the MTAT going forward. Specifics are included the 2016 Modified Consent Decree and Exit Plan.

This past reporting period, which covers July 1, 2016 to December 31, 2016, the Accountability Agent and the MTAT have:

- 1) helped to develop and provide ongoing support for a new teaming structure (State Roadmap Meetings, MEASURES Process, Quarterly Meetings of the Parties) to guide improvement efforts in the two counties;
- 2) continued learning about the State's overall priorities and its strategic plan, Blueprint for Change;
- 3) joined in the State's effort to improve the overall use of data to improve practice and outcomes through a newly developed Continuous Quality Improvement (CQI) process;
- 4) continued to review and more effectively use the State's longitudinal data file to inform improvement efforts;
- 5) met with stakeholders;
- 6) helped the parties work toward reaching an agreed upon plan for modifying and exiting the Consent Decree;
- 7) continued to manage case record reviews;
- 8) began weekly monitoring of hotel stays and after-hours' office use for children;
- 9) continued staffing child fatalities and serious injuries that have occurred;
- 10) reviewed reports from DFCS; and
- 11) submitted monitoring report as required by the Consent Decree.

This is the 22<sup>nd</sup> Monitoring Report issued. The previous monitoring reports are available on-line at [http://www.childrensrights.org/class\\_action/georgia/#](http://www.childrensrights.org/class_action/georgia/#) or <http://cslf.gsu.edu/technical-assistance/>.

## **2016 Modified Consent Decree and Exit Plan Reporting**

The Accountability Agent and Monitoring and Technical Assistance Team (MTAT) are working in close partnership with the State leadership to develop methods for analyzing the new outcome measures and create Infrastructure Standards that align with Georgia's Blueprint for Change. The focus of this streamlined report is on the State's performance relative to the 31 outcomes in Section 15 of the original Consent Decree. This report also includes analysis regarding: 1) the beginning implementation of Solution Based Casework; 2) the use of congregate care, hotels, and other temporary placements for children in foster care; and 3) caseloads for case managers and supervisors.

Outlined below is a summary of the steps towards complete reporting on the 2016 Modified Consent Decree and Exit Plan.

**Period 23:** A report on performance between January 1, 2017 and June 30, 2017 will be ready for submission by November 2017. During this time, January to June 2017, the Accountability Agent and the MTAT will be working with DFCS to define a methodology for and produce reports on the newly defined outcomes. This will be the first report using the outcome measures as defined in the 2016 Modified Consent Decree and Exit Plan. During this same timeframe, the Accountability Agent and the MTAT will be working to understand DFCS' expectations and priorities to be able to propose Infrastructure Standards for the Modified Consent Decree and Exit Plan no later than September 5, 2017 (nine months from the date Exit Plan went into effect). While Infrastructure Standards will not yet be reported, the Accountability Agent and the MTAT will continue to report on: 1) the beginning implementation of Solution Based Casework and the comprehensive case practice model; 2) the use of congregate care, hotels, and other temporary placements for children in foster care; 3) caseloads for case managers and supervisors; 4) reimbursement rates; 5) denial and/or preference in placements for children based on race, ethnicity and/or religion; 6) basic physical needs at the time of placement; and 7) visits within the first month of the initial placements or changes in placements.

**Period 24:** A report on performance between July 1, 2017 and December 31, 2017 will be ready for submission by May 2018. Reporting on performance during this period will mirror the previous period. The Parties will reach final agreement on the Infrastructure Standards during Period 24 and begin to develop an approach to monitoring these standards.

**Period 25:** A report on performance between January 1, 2018 and June 30, 2018 will be ready for submission by November 2018. This will be the first complete report on all the provisions in the 2016 Modified Consent Decree and Exit Plan, including the Infrastructure Standards.

## **PART TWO – EXECUTIVE SUMMARY**

This report focuses on DFCS' performance from July 1, 2016 to December 31, 2016 or Period 22.

As reported in two previous monitoring reports, "DFCS leaders at all levels [were] stepping back to define a 'way of working together' to best implement specific strategies in DeKalb and Fulton counties designed to improve outcomes for children and families".

Region 14 developed a leadership team and process entitled **Metro District Effectively Aligning Strategic Plans Utilizing Resources Efficiently (MEASURE)**. The team is comprised of the District Director, the Regional Director, County Directors, the Director of the State Kenny A. Unit, the Director of the State Data Unit and other persons responsible for quality assurance and continuous quality improvement. Together, this group has begun to align the work related to the Consent Decree with the Blueprint for Change, the state strategic plan, the Governor's Child Welfare Reform Council's recommendations, and the federal requirements under the Child and Family Services Review (CFSR).

These leaders made the decision to create four workgroups to focus on priority areas of practice in order to improve outcomes for children and families who come to the attention of DFCS. Progress has been made to better understand the factors aiding or impeding progress related to: permanency, placement stability, creating a robust workforce and supporting kinship placements. While the four workgroups have established goals and analyzed data, agreement has not yet been reached on the complete set of strategies that will be employed to improve practice in these areas.

In addition to these four priorities, the State made the decision to begin training on Solution Based Casework in DeKalb and Fulton counties in July 2016 followed by implementation in November 2016.

The rest of this part focuses on the opportunities and challenges related to these priorities, which had and will continue to have a direct impact on the State's ability to meet or exceed the requirements set forth in the Consent Decree in Period 22.

### **Development of New Case Practice Model and Solution Based Casework Implementation**

State leaders are developing a case practice model and Infrastructure Standards that build on Solution Based Casework (SBC) and are inclusive of best practices for ensuring quality care and services, keeping children safe, increasing the use of kinship care, and reducing the impact of trauma. The intent is to define what case managers and supervisors should be saying and doing with children and families every day in Georgia. While Georgia DFCS policy does provide a comprehensive set of expectations for casework and supervisory practice, this is an effort to

extrapolate those practices most closely linked to desired outcomes for children and families. In the meantime, case managers and supervisors are beginning to integrate the tenets of Solution Based Casework into everyday practice.

During Period 22, training began on Solution Based Casework (SBC) in DeKalb and Fulton Counties on July 11, 2016. To date, 36 supervisors and 213 caseworkers in DeKalb and Fulton counties have been trained in SBC. No caseworkers or supervisors in DeKalb County have been certified. In Fulton, there is one (1) supervisor and there are two (2) caseworkers who have been certified. More about this is described later in the report, but the limited numbers of certifications to date indicate the need to revisit readiness for SBC implementation in the region and the support that may be needed going forward.

### **Moving Toward a Kinship First Organization**

DFCS has made a commitment to become a Kinship First organization and engaged the Annie E. Casey Foundation's Child Welfare Strategy Group (CWSG) to assist in the effort to ensure that at least 50 percent of all children in foster care are placed with relatives. CWSG conducted an initial assessment and has begun working directly with the kinship workgroup as they examine and refine the kinship continuum. This shift to Kin First presents an opportunity to minimize trauma to children, create more stable placements and maintain vital connections as families work toward permanency. It will require a change in culture, policies, and case management practice. This is very promising, and aligns with the values undergirding the development of the new case practice model.

The DeKalb County Director is the leader of the kinship workgroup. Their aim is for 50 percent of all children in foster care to be placed with relatives and for these relatives to be approved in a timely manner and supported thereafter. Decisions are being made now to determine the rates that will be applicable to relatives caring for children in foster care.

### **Workforce Instability**

While this enhanced focus on kinship care and the commitment to priority areas is encouraging, there are still several areas of concern that persisted during Period 22. Perhaps most serious, was the turnover and vacancy rates in DeKalb and Fulton counties. Without a stable and thriving workforce, it is impossible to work consistently toward positive outcomes for children and families. Compared to the end of Period 21, at the end of Period 22 the following dynamics presented: the number of CPS case managers declined by 25 percent; the number of family preservation case managers declined by 38 percent; the number of permanency case managers increased by 5 percent; the number of case managers carrying specialized cases increased by 17 percent (which correlates with children staying in care for longer periods of time). In addition to fewer case managers and case managers with higher caseloads, the supports provided by

supervisors were also compromised with only 60 percent of supervisors meeting the 1 to 5 ratios to case managers, compared to 79 percent in Period 21. Changes in leadership at the administrator and county director levels also persisted.

To address these issues, Governor Deal's Fiscal Year 2018 budget invests more than \$96 million in the Division of Family and Children's Services to increase pay for caseworkers and supervisors statewide.

Also, as mentioned above, there is a concerted effort to address these and other workforce related challenges. The Metro District Director and Regional Director are leading the effort to create a more robust workforce in DeKalb and Fulton counties. The workgroup reached consensus to focus on: 1) decreasing the vacancy rate and retaining new and veteran staff at all levels within the region; 2) maintaining consistency in case management and sustaining caseload sizes - 1:15 for foster care, 1:5 for supervisors, 1:12 for child protective service - investigators in DeKalb and Fulton counties; and 3) improving the culture and climate for DFCS staff in order to create better outcomes for children and families.

Next steps will be to agree on and operationalize those strategies that members believe will have a positive impact.

### **Children are Spending More Time in Foster Care**

The overall number of children and youth entering and exiting foster care decreased, however duration in care increased. The result was that the overall number of children in foster care continued to rise, reaching a high of just under 1700<sup>1</sup>, by the end of 2016.

The DeKalb County Deputy Director and members of the permanency workgroup are focused on addressing this issue of timely, lasting permanency for children. The workgroup intends to:

1. reduce entries into foster care in DeKalb and Fulton counties by serving children in the community when safe and possible;
2. reduce re-entry for children who exited foster care quickly after their initial entry; and
3. promote lasting permanency for children who have been in foster care for a long time.

One of the first issues this workgroup hopes to address is the number of children (short stayers) who enter foster care in the counties only to exit foster care in a short period of time. The Annie E. Casey Foundation has been engaged by the workgroup to examine current case planning

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<sup>1</sup> This year end caseload counts includes youth who turned 18 while in care in Fulton or DeKalb and who remained in care after that point. While they are no longer members of the class, inclusion of these youth in this analysis more accurately reflects the overall workload of case managers and supervisors. If you remove those youth, the count for the most recent year is 1538.



practice and map out a family-driven case planning process that aligns with Solution Based Casework (SBC).

### **Placement Instability for a Small Group of Children and Youth**

Certain system dynamics persisted from the prior period, most notably, the use of hotels as placements for children in foster care and multiple placement moves for a small group of children and youth in the Region.

Championing the effort to ensure safe and stable placements for children and youth are the Kenny A. State Project Director and the head of resource development for Region 14. The overall aim of the workgroup is to decrease the number of placement moves a child experiences while in custody in Region 14. The first and most immediate work is to end the use of hotels as placements in DeKalb and Fulton counties no later than June 30, 2017.

### **Educational Achievement**

Launched at the beginning of Period 22, Project Graduate is a targeted effort to ensure young people aging out of foster care in DeKalb and Fulton counties are prepared academically. By the end of the period, more children over the age of 18 were exiting foster care with a high school diploma or GED. These gains are not yet sufficient to meet the terms of the Consent Decree.

## **PART THREE – RECENT HISTORICAL DYNAMICS IN DEKALB AND FULTON COUNTIES**

As in the Period 21 report, we start this report with a high-level overview of the experiences of children and youth who have been placed in foster care in Fulton and DeKalb Counties – Region 14 -- during the last five years. Here, however, our approach differs in a couple of ways: For the prior report, we provided a ten-year overview of the system’s engagement with children in their first placement episode. That approach provided an overview of how core child welfare outcomes for children **first** interacting with the placement process in DeKalb and Fulton counties had changed over time. That is – the focus was on what transpired when the child welfare system had its earliest opportunity to serve a child new to the system and to provide lasting permanency at the earlier engagement.

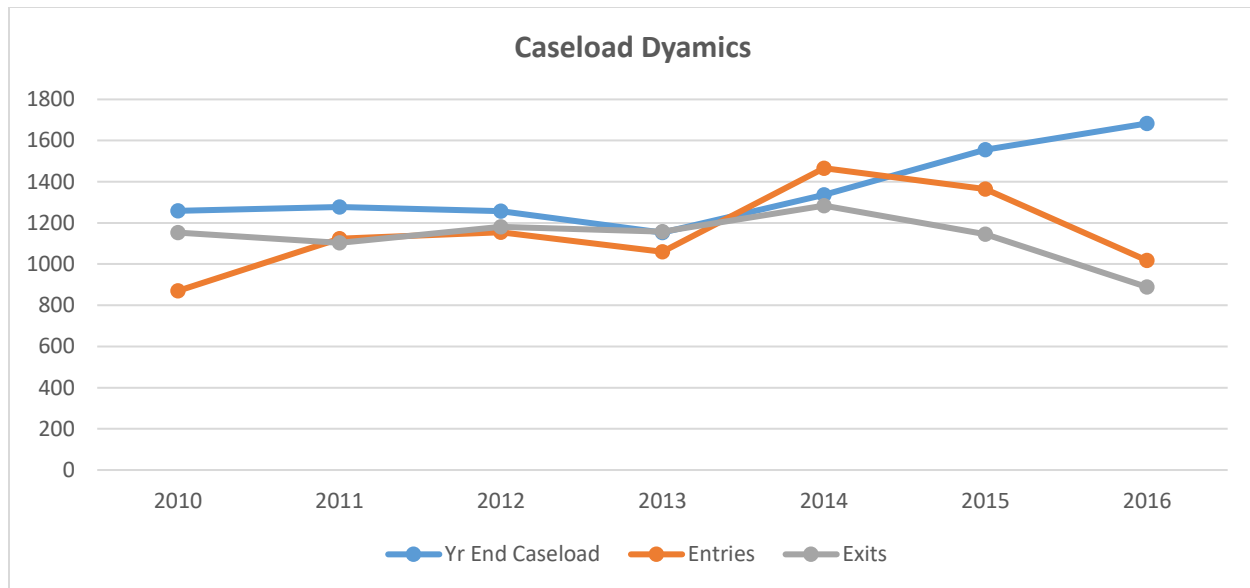
In this report, we narrow the focus to look at more recent historical performance, but broaden it to look at the experiences of ALL children entering care so that we are matching more closely the population for whom the State has current responsibilities, and whose current pathways are the consequence of the longer-term system dynamics. Though still a high-level overview, we focus on dynamics that are specifically connected to the state and regional leadership’s stated interests as well as the areas that are the current focus of the MEASURE team and the MEASURE team workgroups. This overview data provides a general starting point; each workgroup’s more targeted process includes a closer look at system data in order to better describe and diagnose some of the higher-level trends we show here.<sup>2</sup>

The starting point for this overview is the figure below which shows entries, exits, and caseload counts in the two counties over the past six years. The figures show that although both exits and entries have declined since their peak in 2014, the caseloads have continued to rise, reaching a high of just over 1700<sup>3</sup>, by the end of 2016. As the overview below reveals, this increase in caseload is the consequence of performance dynamics, including an increase in duration, that are the current focus of Fulton and DeKalb leadership and the MEASURE team.

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<sup>2</sup> This longitudinal file was developed by researchers at Chapin Hall, based on data extracts from SHINES and formerly IDS containing placement histories for children placed in state custody. Spells of all durations are reflected in these data. The data are current through December 31, 2016.

<sup>3</sup> The year-end caseload totals includes youth who turned 18 while in care and remained in care after their 18<sup>th</sup> birthday. There were 1538 youth under the age of 18.



In the most recent five years, the number of children and youth entering care has shifted considerably. As the table below shows, overall entries peaked (rising nearly 40 percent) in 2014 only to go back down in 2016 to the lowest point in five years. Although over 75 percent of all entries are first entries, that proportion has changed as well. In earlier years, children entering care in a subsequent placement made up less than 20 percent of the entry cohort. However, in 2016, 25 percent of children entering placement were children who at some point in their life had a previous episode in care.<sup>4</sup>

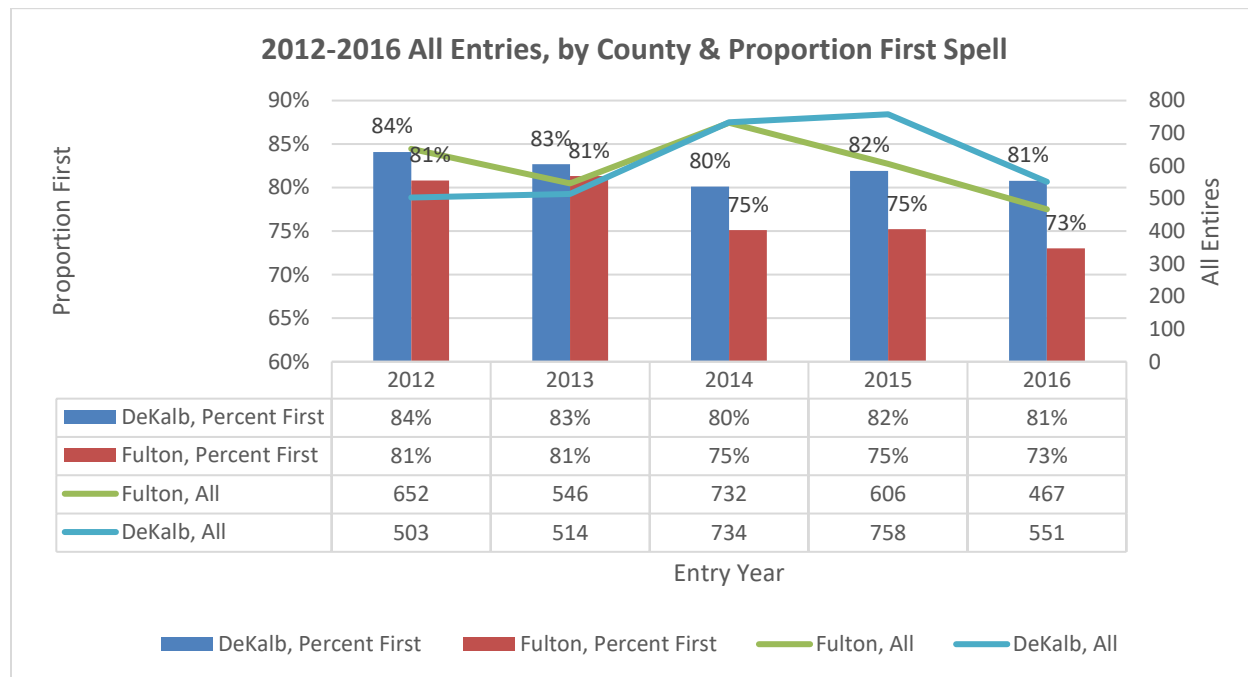
#### **Fulton and DeKalb Entries, by First and Non-First Foster Care Episode**

Entry Year	Total	First	Not First	Total	First	Not First
2012	1155	950	205	100%	82%	18%
2013	1060	869	191	100%	82%	18%
2014	1466	1138	328	100%	78%	22%
2015	1364	1077	287	100%	79%	21%
2016	1018	786	232	100%	77%	23%

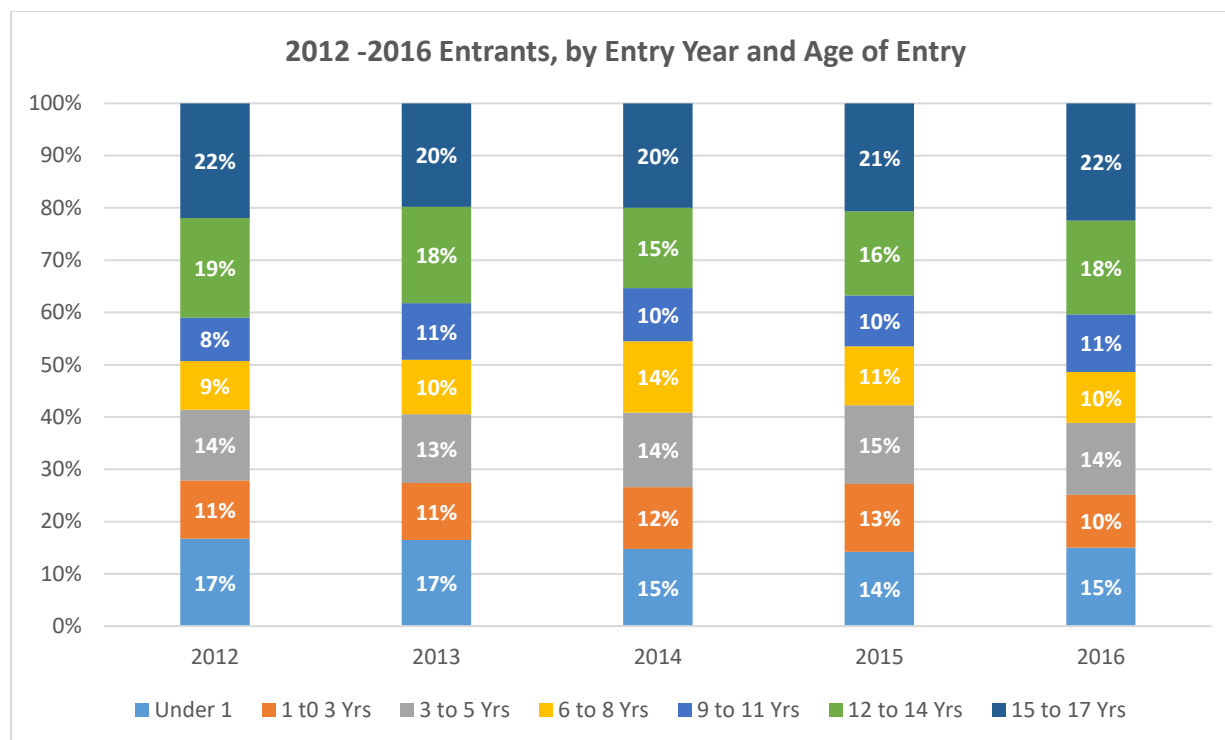
The graph below illustrates how the trends noted above are reflected in each county's most recent entry history. Both counties rose sharply with all entries in 2014, although Fulton's entries

<sup>4</sup> Note – the proportion of children entering care who had a previous episode in care includes those whose prior episode could have started or ended at any time prior to their entry. This distinguishes the re-entry count from Outcome 4 that includes only those that re-entered within in one year of their prior exit.

have since declined more than DeKalb's. DeKalb's proportion of first entries has dipped, but remains consistently higher than Fulton's.



As entries have oscillated, patterns in the age of entry have been somewhat less volatile. The figure below shows that for the both counties, just over 20 percent of each entry cohort are older teens and about 15 percent of each cohort are infants. The age patterns for all children/youth entering have been fairly consistent – or predictable – which can support targeted diagnosis and hypothesis building within the workgroups to strategize for specific changes to the process of care in order to support specific changes in outcomes.

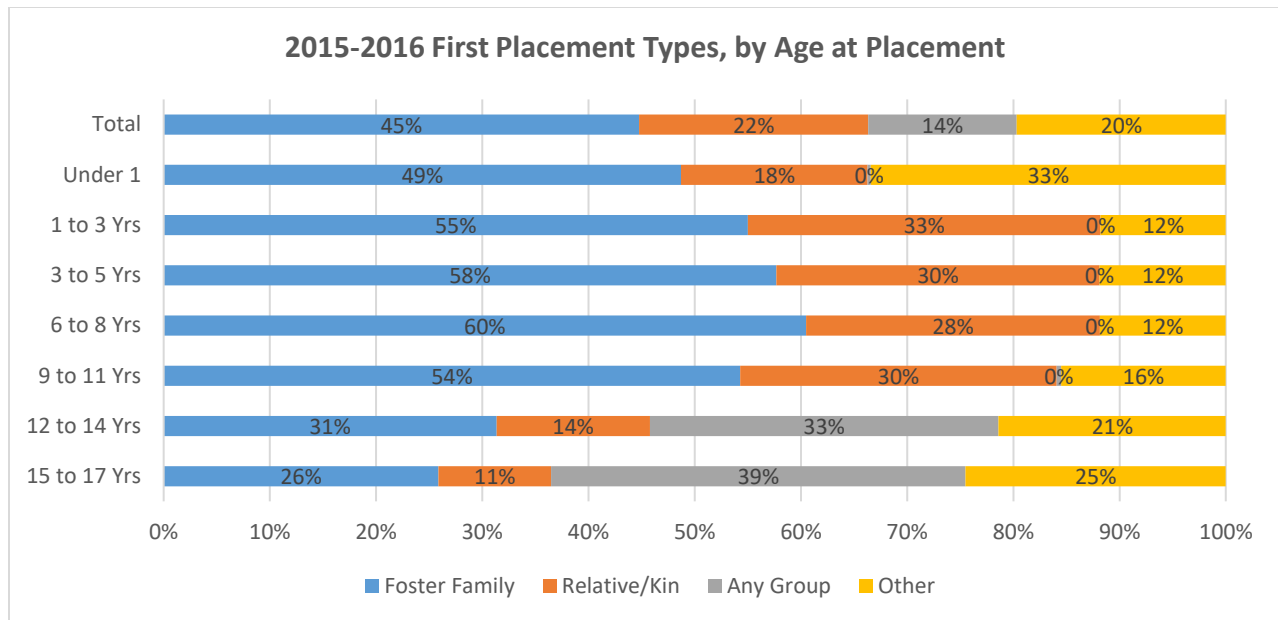


The next set of data, which display first and predominant placement type, by age at entry, are key examples of how that targeted approach could play out in the continued effort to prioritize kinship settings for children who cannot be served in the community. Increasing reliance on kinship care is not only a state and regional priority; it is also the focus of one of the four MEASURE team workgroups. These next tables provide some context for that group's work.

The first figure shows the initial placement setting of children/youth who entered care in the two counties in the most recent two years by their age at entry. The top bar shows overall first placement type, in which 45 percent of entrants are placed in a foster home, 22 percent are placed with kin, and 14 percent are placed in a congregate or group setting.<sup>5</sup>

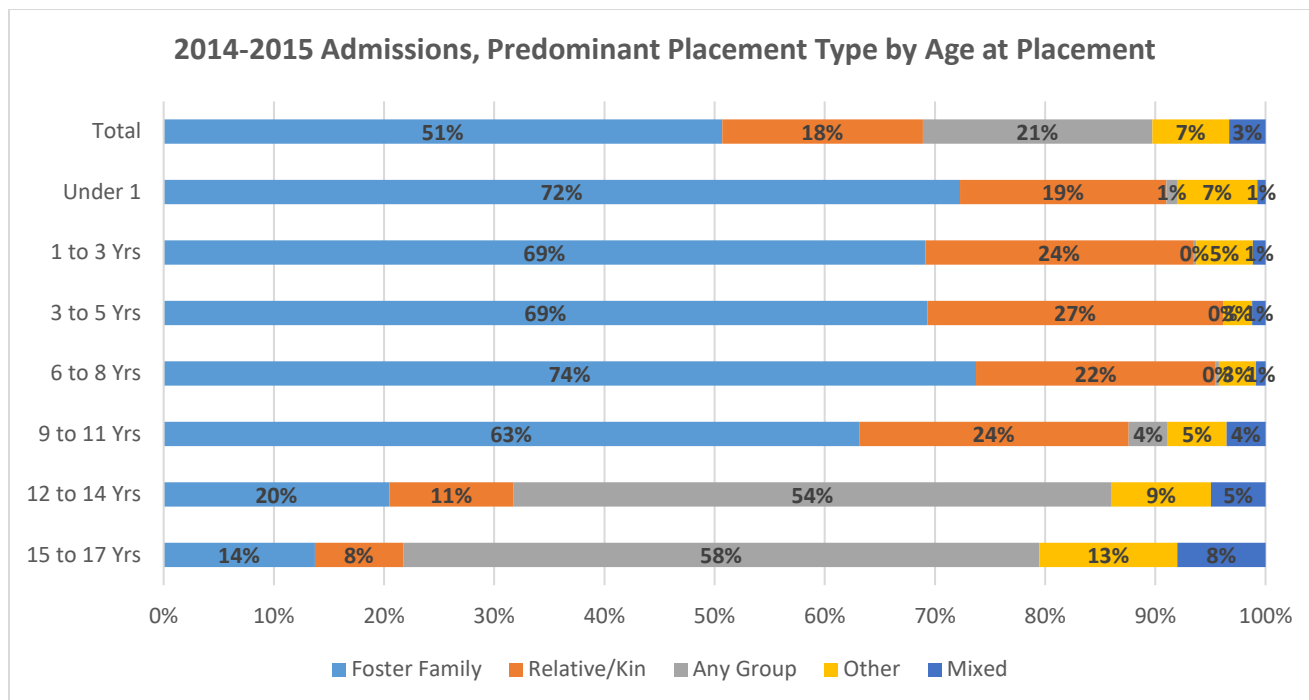
When you look at the age at placement, what stands out is the variation: Younger children, especially those between the ages of 1 and 11 are the most likely to be first placed with kin, although most are first placed in a foster home. Infants are often first placed in hospitals (the other category) or in foster homes. Youth 12 and older are the least likely to be in any home setting, and one third or more are placed in congregate settings.

<sup>5</sup> Define other placement types



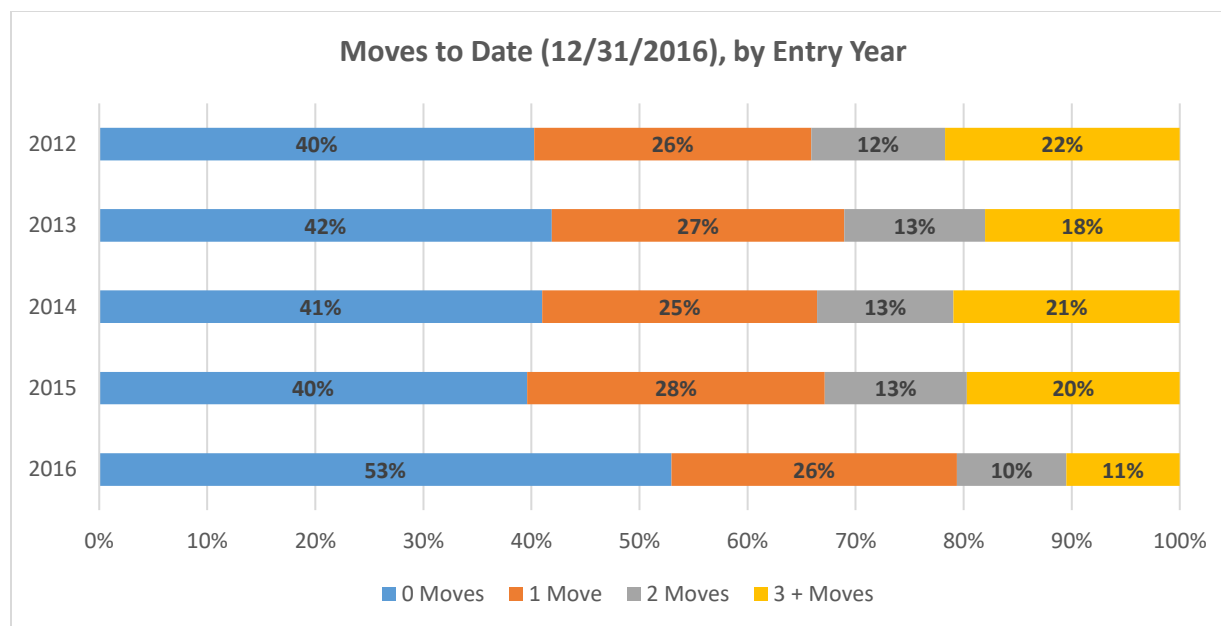
The predominant view refines the lens somewhat – we back up one year so that we can observe more of the placement experience—showing where children who enter care spend MOST of their time.

The figure below shows a notable shift in the pattern although age specific variation remains evident. Clearly, children placed under the age of 12 spend most of their time in placement in a family setting, but most often this is a foster home. About a quarter of the children placed between the ages of 1 and 11 spend most of their time in a kinship home, but that is less likely for infants and much less likely for children placed at the age of 12 or older, which as the earlier data indicates, is between 35 and 40 percent of the children/youth entering care. This age group spends over half of their time in some type of group or congregate setting.



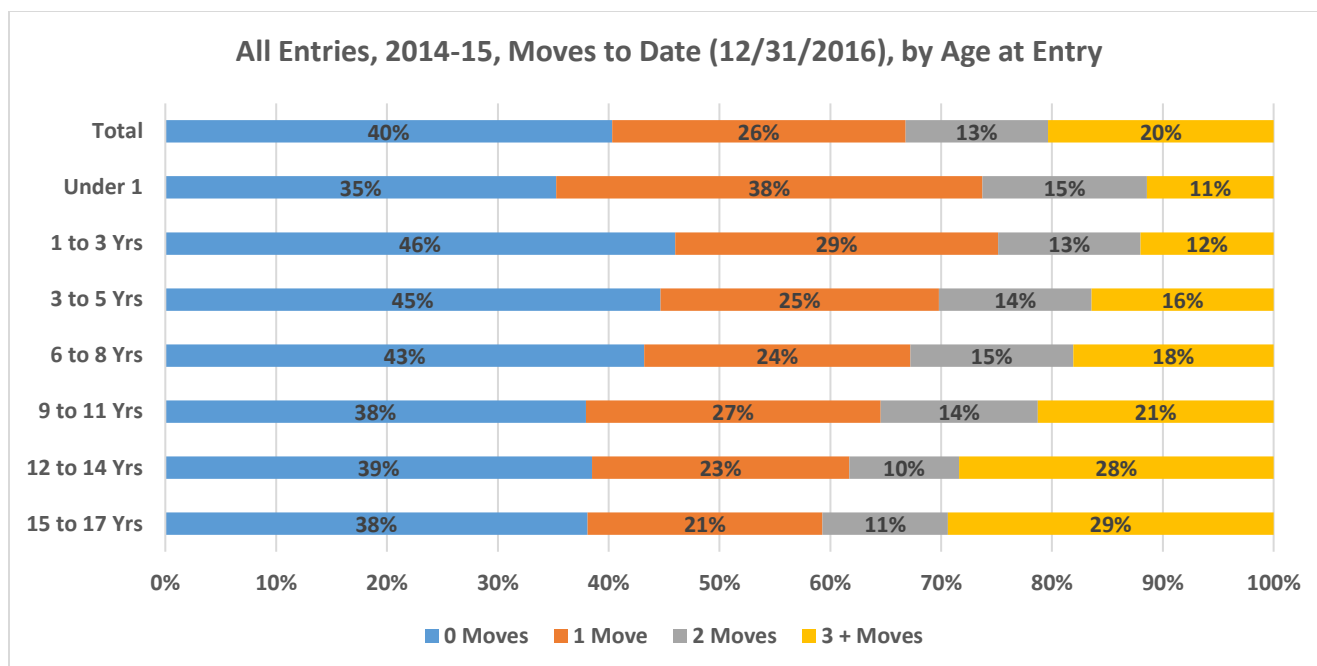
Promoting safe and stable placements is an important goal of the system and a specific focus of a second MEASURE workgroup that seeks to understand the system elements that drive placement instability. A better understanding of patterns associated with placement instability and placement stability will support the groups as they develop targeted approaches to decrease the likelihood that a child placed in care will experience multiple disruptions, and the trauma associated with such disruptions.

The first figure shows that for recent years most children do not experience multiple placement changes. In fact, over half of the children placed in the two counties experienced one or fewer placements. However, there are small groups of children who routinely move multiple times. Even the 2016 group, which as of the cutoff date of the file was very early in its placement history, had over 10 percent of its group move 3 or more times in their entry year.



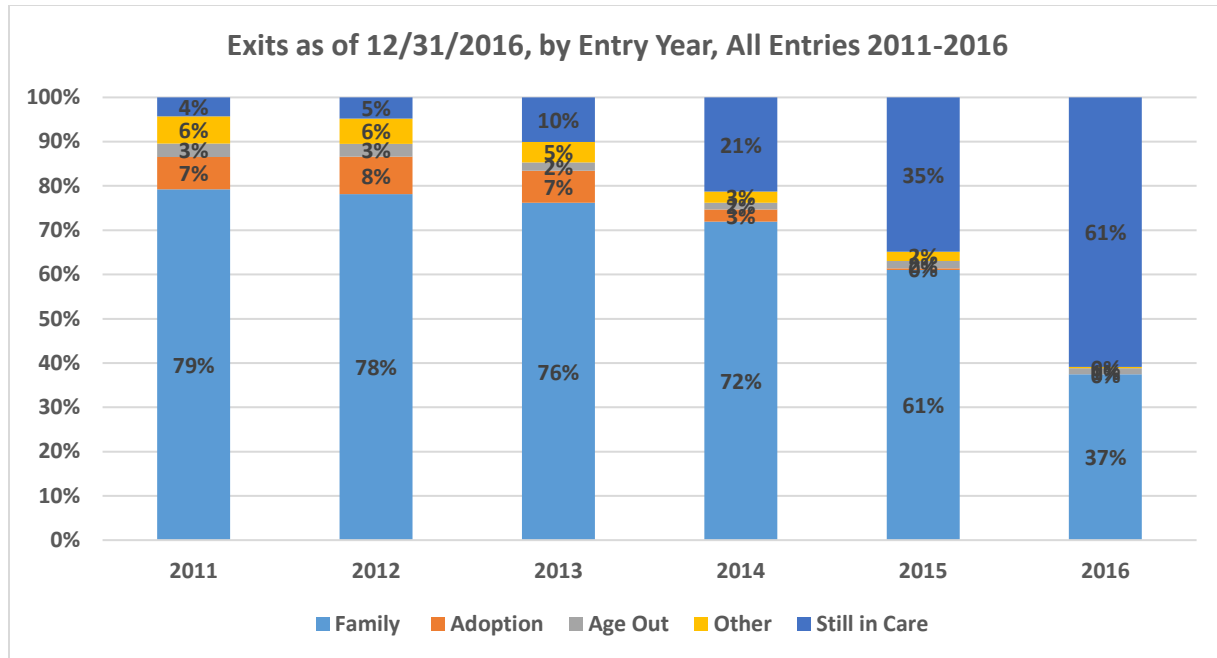
Looking more closely at an earlier group of entries for whom we can observe more placement history reveals that children placed at age 12 and older not only are more likely to experience time in group settings, but also, they are much more likely to move multiple times. As the figure shows, overall, older youth are about as likely to NOT move as the rest of the population, but when they do move, they are more likely to move multiple times. While the 2016 cohort is still likely to move more, there are some very preliminary indications that placement instability early in a foster care episode may be on the decline. Given the recent reduction in hotel use, which is largely associated with disruption in placements for adolescents, it may be the case that placement instability for these older entrants is declining. The MTAT will continue evaluating the reduction in hotel use and its causes and consequences and will report this in the next six-month report.



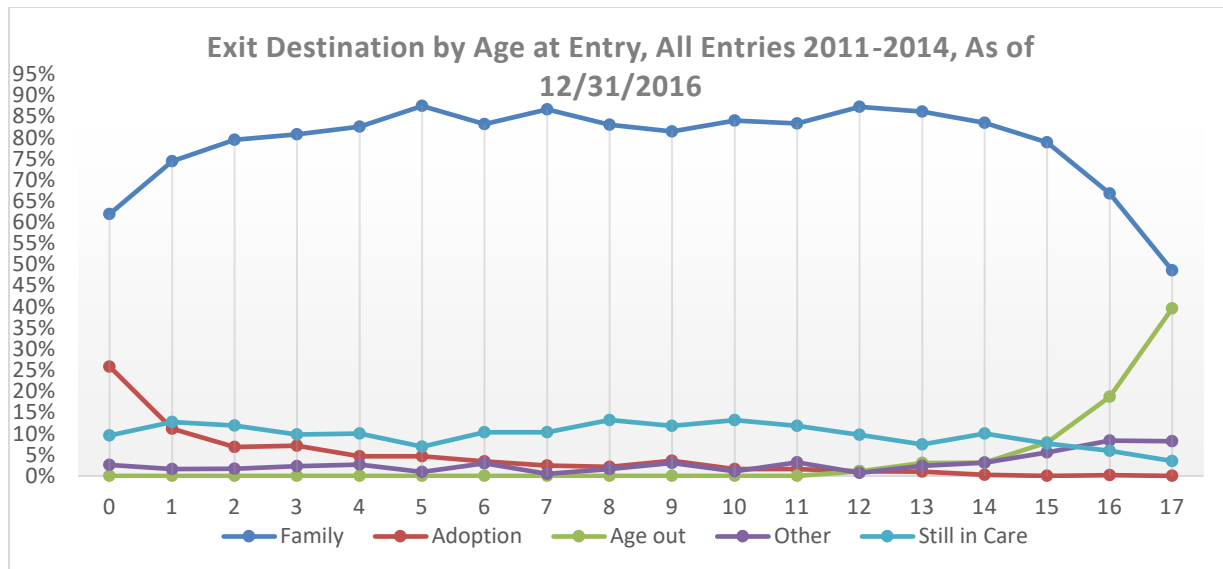


Finally, the exit patterns of youth recently served in the two counties are consistent with most child welfare systems—most children entering placement will experience permanent family exits. Those likelihoods are most clearly demonstrated by the earlier entry cohorts in which almost 90 percent of the children who entered the system had exited by the December 31, 2016. Between 75 and 80 percent of the 2011-2013 group exited to a family member, and an additional 7-8 percent were adopted. About three percent of an entry group age out, while just over five percent experience some other type of non-permanent exit.

As of December 2016, at least 20 percent or more of cohorts from 2014 to 2016 were still in placement, raising the question not only of what type of exits children placed in DeKalb and Fulton counties experience, but how long does it take for that exit to occur?



Duration -- or time to permanency, particularly for those children who have already been in care for at least one year, is one area of focus for the MEASURE workgroup focused on permanency. A closer look at the relationship between age at entry and permanency outcome can help to shape that workgroup's consideration. The first figure below shows exit outcomes for children entering care in the years 2011-2014, by their age at entry. The image clearly shows that family exits are the most likely exit for children entering at any age. However, children entering as infants are notably more likely to be adopted than children of any other age. While teenagers are still more likely to exit to permanency, that likelihood starts to decline for those who enter at age 13 and older, as the odds of aging out then increase. Children who enter care between the ages of 8-10 may be slightly more at risk of longer lengths of stay as indicated by the 10 percent who remain in care two or more years following their entry.



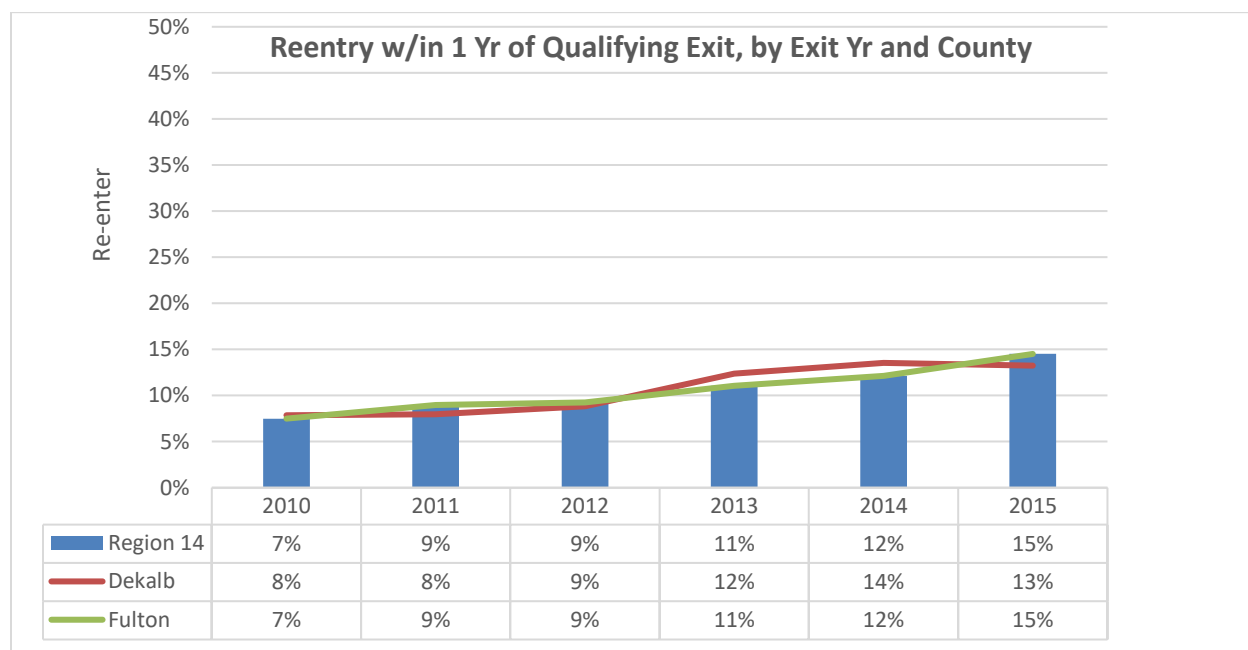
Looking specifically at duration for all children entering care in the last five years who stayed for at least one week, the data show that following the bump in admissions in 2014, there has been a decline in the rate of exit. The median duration - the time it takes for 50 percent of an entry cohort to exit care - has increased considerably since 2013, going from just under nine months (264 days) to just under one year (333 days). The median is not yet observable for the 2016 cohort, but the time it takes for the first 25 percent of the group to exit has doubled - going from 75 days to 157 days. The longer stayers, children who entered care from 2011 to 2013 and are still in foster care, represented by the 75 percent quartile show an increase as well. Some increase in duration may be associated with a decrease in entries, as more cases are successfully served in the community, and only more challenging cases result in removal. Understanding that interplay, and isolating it from those areas of practice that could result in a safe decrease in out of home care, are among the areas of focus of the permanency workgroup.

	Days Passed Before Percentage of Selected Spells Are Completed					
	Region 14, All 8+, 2011	Region 14, All 8+, 2012	Region 14, All 8+, 2013	Region 14, All 8+, 2014	Region 14, All 8+, 2015	Region 14, All 8+, 2016
25%	81	53	50	52	75	157
50%	335	311	264	272	333	N/A
75%	671	668	740	N/A	N/A	N/A
100%	N/A	N/A	N/A	N/A	N/A	N/A

Source: Center for State Child Welfare Data, Chapin Hall at the University of Chicago, 2017.

Following permanent exit, the hope is that children who have reached permanency will not re-enter care. The figure below shows the extent to which children in recent exit cohorts have re-

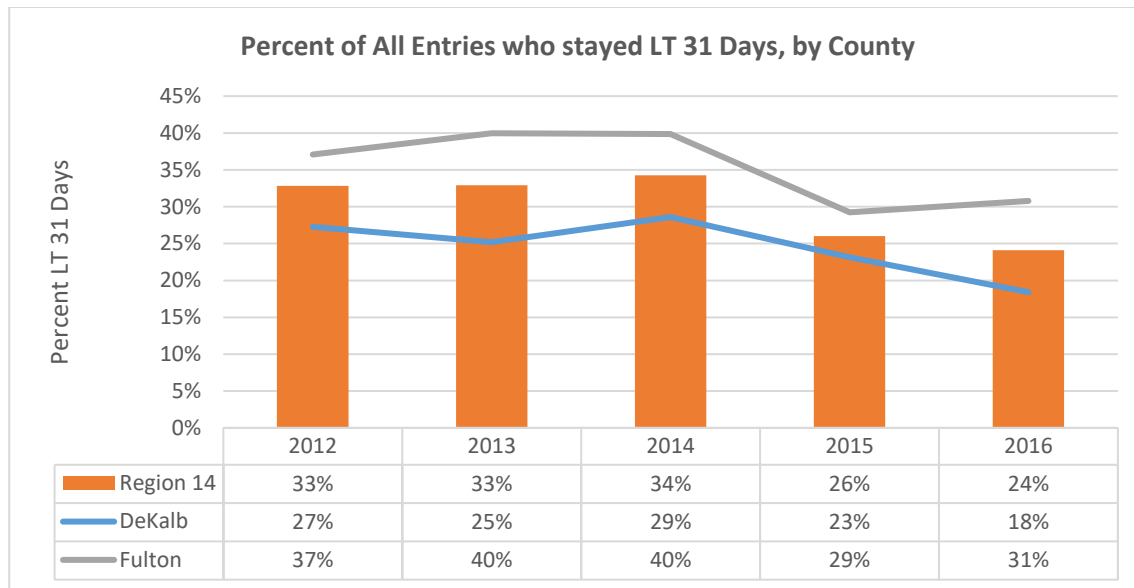
entered placements following their permanent exit. In recent years, and for both counties, the rate of re-entry has increased, reaching 15 percent for the group exiting care in 2015.<sup>6</sup>



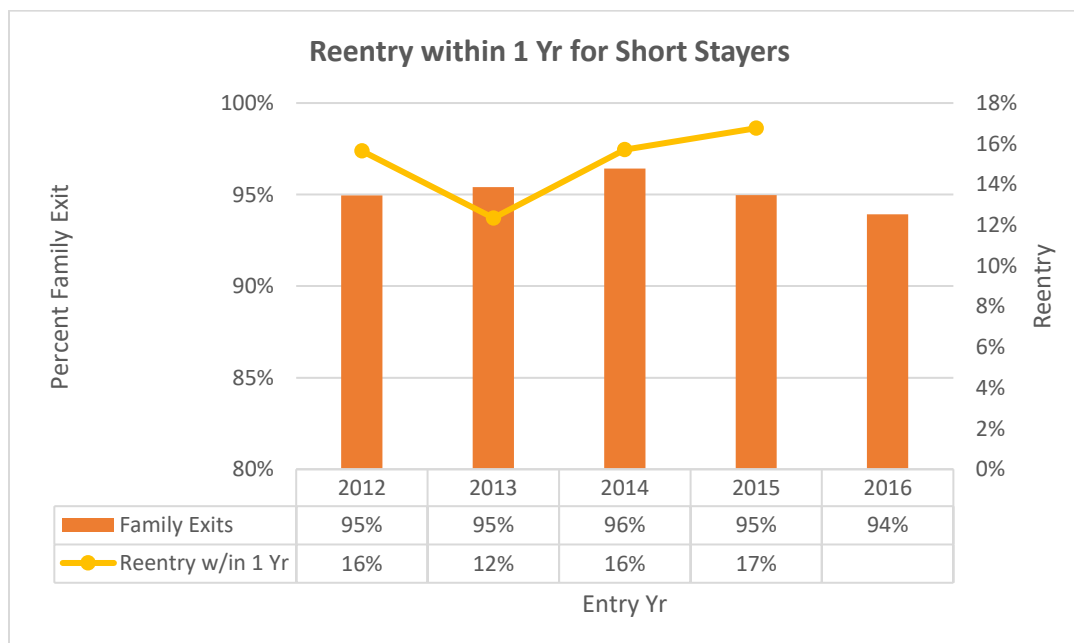
Understanding how best to serve children in their home communities is a final area of focus for the permanency workgroup. That effort will be directed at those children who return home to permanency, with special emphasis on a relatively large proportion of children entering care in the two counties only to stay for a brief period before returning home. The two figures below review that dynamic.

The first figure shows that overall, the proportion of children removed from their home and placed in state custody for a foster care episode that lasts less than one month has dropped from 34 percent of the 2014 entry cohort to just under a quarter of the 2016 group. As the figure shows, there are some differences in the removal patterns between the two counties; the local and specific process of care that contributes to these patterns is being evaluated by the permanency workgroup.

<sup>6</sup> This is a different measure than the methodology used in the former Consent Decree, which calculate re-entry by considering the proportion of children entering care in period who had previously exited care within one year of their current entry. The above approach looks at children who recently exited – those who could re-enter, and then looks to see how many re-enter care within 12 months of their exit. The newly modified Consent Decree and Exit Plan requires a new methodology that will more accurately reflect the re-entry phenomenon.



Although the entry patterns differ, the exit patterns are consistent across the counties. Well over 90 percent of those children whose removal lasted less than one-month return to a family member. Of those for whom re-entry within one year is observable, the re-entry rate hovers around 16 percent. Thus, the vast majority of those short stayers are removed briefly, returned home, and do not return.



The summary of outcome performance contained in this current report continues to reflect the challenges of responding expeditiously to on-going systems 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. Period 22 performance on core outcome measures, like achieving permanency and maintaining placement stability, remained largely the same as previous periods. One notable improvement is that more young persons in 2016 graduated high school or got a GED than in previous years. Another measure of well-being that improved in Period 22 was that more children in care had their medical, dental, educational, and developmental needs met. Moreover, the incidence of maltreatment in care remained well below national standards.

There were also some declines that merit further attention, particularly related to preserving connections for and with children, signaling the importance of maintaining core system processes even amid system reform. These areas include diligent search efforts, sibling placement, placement proximity, child and parent visits, family team meetings and sibling visits.

## Safety

Three of the five safety measures relate to the process of investigation for children allegedly maltreated while in care – initiating investigations, completing investigations and timely contact with all alleged victim children. None of these met agreed upon consent decree standards. Performance on two of the process standards remained about the same as the previous period: initiating timely investigations and making timely face-to-face contacts with all alleged victim children in foster care.

The percentage of children in foster care who were victims of maltreatment during the previous 12 months (.25%) declined from the previous period and continued to meet the agreed upon consent decree standard.

Finally, the incidence of corporal punishment remained below the limit set by the Consent Decree. Taken together – the counties’ performance reflects vigilance and close attention to the safety of children in their care.

<b>Safety Outcomes Children in Foster Care are Safe From Maltreatment in Care</b>	<b>Period20 Performance</b>	<b>Period 21 Performance</b>	<b>Period 22 Performance</b>
<b>Outcome 1:</b> At least <b>95%</b> 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.	<b>92%</b>	<b>91%</b>	<b>89%</b>
<b>Outcome 2:</b> At least <b>95%</b> 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.	<b>99%</b>	<b>82%</b>	<b>90%</b>
<b>Outcome 3:</b> At least <b>99%</b> of all investigations of reported abuse or neglect of foster children during	<b>90%</b>	<b>89%</b>	<b>80%</b>

Safety Outcomes Children in Foster Care are Safe From Maltreatment in Care	Period20 Performance	Period 21 Performance	Period 22 Performance
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.			
<b>Outcome 5:</b> No more than <b>0.57%</b> of all children in foster care shall be the victim of substantiated maltreatment while in foster care.	<b>.45%</b>	<b>.42%</b>	<b>.25%</b>
<b>Outcome 6:</b> <b>98%</b> of all foster homes will not have an incident of corporal punishment within the previous 12 months.	<b>99%</b>	<b>100%</b>	<b>100%</b>

## Permanency

There was continued strength in the Consent Decree's 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 within their second year. This is well above the standard for 8a and consistent with recent performance on those important measures of permanency for children entering care. Data provided to DFCS indicates that there is no evidence that recently finalized adoptions are disrupting following finalization.

Children are more likely to exit foster care to lasting permanency when they remain closely connected to the persons who are important to them. For the third consecutive reporting period, DFCS did not meet the agreed upon standard for searching for family members, dipping to 59 percent during Period 22. Most children continued being placed within 50 miles of their parents and/or caregivers from whom they were removed, however the performance fell from 97 percent to 91 percent, just over the required threshold. The percentage of children meeting the minimal once-a-month visits with their parents fell below the threshold to 84 percent. Significantly fewer siblings who entered care with their siblings were placed together and fewer of those in separate placements received the once a month visits with each other.

As discussed in the Period 21 report, in the original Consent Decree, DFCS committed to the effective use of family team meetings to ensure engagement among family members and professionals working together toward reunification. Unfortunately, during period 22, the counties continued having challenges having family team meetings (less than 20%) at the 13<sup>th</sup> month mark and when they were able to hold them, participation by family members was also low.

Another outcome measure envisioned as an opportunity to engage these same persons in joint planning are the semi-annual judicial or administrative reviews of family progress toward meeting the goals set forth in the case plan. Unlike in Period 21 when all the cases received timely

reviews, during Period 22, these reviews occurred in 94 percent of the cases, falling below the 95 percent threshold as required in the Consent Decree. The volatility of performance in this metric over time requires careful examination to determine sustainable strategies to ensure this crucial review of cases. Moreover, for the reviews that were held timely, the participation by parents, children, relatives, and other stakeholders was extremely low (35% of mothers, 10% of fathers and 15% of children). In fact, DFCS case managers attended less than two-thirds of these reviews.

There were 47 children adopted during the Period. Some of these were not finalized timely after parental rights were terminated or surrendered. One in ten children who remained in foster care for 15 of 22 months had not had his or her parental rights terminated or a compelling reason documented for not doing so.

<b>Permanency Outcomes Children in Placements Maintain Family Connections</b>	<b>Period 20 Performance</b>	<b>Period 21 Performance</b>	<b>Period 22 Performance</b>
<b>Outcome 7:</b> At least <b>95%</b> 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.	<b>86%</b>	<b>83%</b>	<b>59%</b>
<b>Outcome 16:</b> At least <b>80%</b> 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.	<b>68%</b>	<b>73%</b>	<b>58%</b>
<b>Outcome 19:</b> <b>90%</b> 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).	<b>97%</b>	<b>97%</b>	<b>91%</b>
<b>Outcome 21:</b> At least <b>85%</b> of all children with the goal of reunification shall have appropriate visitation with their parents to progress toward reunification	<b>83%</b>	<b>91%</b>	<b>84%</b>

<b>Permanency Outcomes Children in Placements Maintain Family Connections</b>	<b>Period 20 Performance</b>	<b>Period 21 Performance</b>	<b>Period 22 Performance</b>
<b>Outcome 23:</b> At least <b>90%</b> 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	<b>85%</b>	<b>90%</b>	<b>85%</b>



<b>Permanency Outcomes Children in Placements Maintain Family Connections</b>	<b>Period 20 Performance</b>	<b>Period 21 Performance</b>	<b>Period 22 Performance</b>
child is placed with a relative. <sup>7</sup>			
<b>Permanency Outcomes Children Achieve Permanency</b>	<b>Period 20 Performance</b>	<b>Period 21 Performance</b>	<b>Period 22 Performance</b>
<b>Outcome 4:</b> No more than <b>8.6%</b> of all foster children entering custody shall have re-entered care within 12 months of the prior placement episode.	<b>12.8 %</b>	<b>17.6%</b>	<b>10%</b>
<b>Outcome 8a:</b> Of all the children entering custody following the entry of the Consent Decree, at least <b>40%</b> 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.	<b>58%</b>	<b>58%</b>	<b>58%</b>
<b>Outcome 8b:</b> Of all the children entering custody following the entry of the Consent Decree, at least <b>74%</b> 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.	<b>65%</b>	<b>65%</b>	<b>65%</b>
<b>Outcome 9:</b> 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 <b>40%</b> 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.	<b>0<sup>8</sup>%</b>	<b>0<sup>9</sup>%</b>	<b>0<sup>10</sup>%</b>

<sup>7</sup> 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.

<sup>8</sup> Only three children remain in in the Outcome 9 cohort at the end of Period 20

<sup>9</sup> Only three children remain in the Outcome 9 cohort at the end of Period 21.

<sup>10</sup> Only two children remain in the Outcome 9 cohort at the end of Period 22.

<b>Permanency Outcomes Children Achieve Permanency</b>	<b>Period 20 Performance</b>	<b>Period 21 Performance</b>	<b>Period 22 Performance</b>
<b>Outcome 10:</b> 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 <b>35%</b> 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.	<b>0<sup>11</sup>%</b>	<b>0%<sup>12</sup></b>	<b>0%<sup>13</sup></b>
<b>Outcome 11:</b> For all children whose parental rights have been terminated or released during the reporting period, <b>80%</b> will have adoptions or legal guardianships finalized within 12 months of final termination or release of parental rights	<b>76%</b>	<b>64%</b>	<b>68%</b>
<b>Outcome 12:</b> 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, <b>90%</b> shall have had their adoptions or legal guardianships finalized within six months after the entry of the Consent Decree.	<b>94%</b> One Time Measure Taken in Period I	N/A	N/A
<b>Outcome 13:</b> 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, <b>95%</b> 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.	<b>30%</b> One Time Measure Taken in Period I <sup>14</sup>	N/A	N/A
<b>Outcome 14:</b> No more than <b>5%</b> of adoptions finalized during the reporting period shall disrupt within the 12 months subsequent to the reporting period.	<b>0%</b>	<b>0%</b>	<b>0%</b>
<b>Outcome 15:</b> Permanency efforts (15/22): At least <b>95%</b> 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.	<b>91%</b>	<b>89%</b>	<b>90%</b>

<sup>11</sup> Only two children remain in the oM10 cohort at the end of Period 20

<sup>12</sup> Only two children remain in the OM10 cohort at the end of Period 21.

<sup>13</sup> Only one child remained in the OM10 cohort at the end of Period 22.

<sup>14</sup> 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.

<b>Permanency Outcomes Children Achieve Permanency</b>	<b>Period 20 Performance</b>	<b>Period 21 Performance</b>	<b>Period 22 Performance</b>
<b>Outcome 27:</b> At least <b>95%</b> 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.	<b>92%</b>	<b>100%</b>	<b>94%</b>
<b>Outcome 28:</b> At least <b>95%</b> 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.	<b>92%</b>	<b>91%</b>	<b>94%</b>

## Well-Being

The well-being of children in foster care is directly impacted by the stability and quality of their placements. Placement stability performance (Outcome 17) declined substantially for those cases reviewed for Period 19, and rebounded from that decline in Periods 20, 21, and 22. However, this rebound seems to have plateaued and performance remains below the required threshold. This is of great concern and the placement stability workgroup is determining effective strategies and indicators to spark and track progress. In the modified Consent Decree and Exit Plan, the state agreed to decrease its use of hotels for youth in care by 50 percent no later than December 31, 2016. They met this goal and weekly reports to MTAT indicate that the use of hotels continued declining during Period 23. The State reports that the establishment of crisis placements in partnership with the Multi-Agency Alliance for Children (MAAC) has enabled the counties to assess and find placements for difficult to place youth. They have also been holding meetings with the private provider community to develop closer working relationships. The placement stability workgroup is evaluating data to determine the factors contributing to this declined utilization of hotels to ensure sustainability.

Another measure of child well-being is the extent to which he or she can continue with the same case manager while in foster care and spend time with his or her assigned case manager. DFCS did not meet the agreed upon standard during the Period for worker continuity. In fact, this is the third consecutive period in which the counties have fallen short of the 90 percent threshold. Conversely, DFCS continued in the Period to meet agreed upon standards for case manager visits

with children. In addition, DFCS case managers continued to consistently visit caregivers for children in foster care.

The last measure of child well-being in the consent decree involves the extent to which medical, dental, education and mental health needs are being identified and addressed. Close to 80 percent of children had all their identified needs met during the Period, which is a significant improvement from the previous reporting period. Dental and mental health needs are reported as being met less often. The timeliness of initial medical, dental, and mental health assessment continues to present a challenge. Case manager and supervisor turn-over, rising caseloads, and a lack of effective communication with service providers may explain some of this performance dip, but understanding its causes, and determining how the implementation of SBC may help address these basic well-being indicators remain a priority for the State as they work with MTAT in the development of practice and process standards.

<b>Well-Being Outcomes Children Experience Stability and Worker Continuity</b>	<b>Period 20 Performance</b>	<b>Period 21 Performance</b>	<b>Period 22 Performance</b>
<b>Outcome 17:</b> At least <b>95%</b> of all children in care shall have had 2 or fewer moves during the prior 12 months in custody.	<b>87%</b>	<b>85%</b>	<b>88%</b>
<b>Outcome 18:</b> At least <b>90%</b> 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.	<b>86%</b>	<b>87%</b>	<b>86%</b>
<b>Outcome 20a:</b> At least <b>96.25%</b> of the total minimum number of <b>twice</b> -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. <sup>15</sup>	<b>95%</b>	<b>97%</b>	<b>96%</b>
<b>Outcome 20b:</b> At least <b>96.25%</b> of the total minimum number of monthly <b>private</b> , face-to-face visits between case managers and all class member children required by Section 5.D.1.b during the reporting period occur. <sup>16</sup>	<b>98%</b>	<b>98%</b>	<b>98%</b>
<b>Well-Being Outcomes Children Experience Stability and Worker Continuity</b>	<b>Period 20 Performance</b>	<b>Period 21 Performance</b>	<b>Period 22 Performance</b>
<b>Outcome 22:</b> At least 95% of the total minimum required monthly visits by case managers to caregivers during the reporting period occur.	<b>94%</b>	<b>96%</b>	<b>95%</b>

<sup>15</sup>As 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.

<sup>16</sup> Ibid.

Well-Being Outcomes Children and Youth Receive Services They Need	Period 20 Performance	Period 21 Performance	Period 22 Performance
<b>Outcome 24:</b> 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%).	42%	Only Reported Once a Year	47%
<b>Outcome 30:</b> 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.	77%	69%	78%

## Strengthening the Service Delivery Infrastructure

During Period 22, the approval and/or licensure status (Outcome 25) overall was strong at 95 percent. However, that overall performance obscures the fact that a significant proportion of children placed were in relative homes that remain unapproved. One of the State's key initiatives moving forward is to place children with relatives whenever possible and appropriate. **Thus, emphasis on approval and licensing these placements is critical and of concern.** These unapproved relatives are not receiving needed financial support from DFCS whether in the form of an Enhanced Relative Rate (ERR) or foster care per diem.

**Case manager and supervisory caseloads pose serious challenges for DFCS.** On December 31, 2016, there were 48 CPS investigators assigned to families (a 25% decrease from Period 21), and only 40 (83%) of them were meeting caseload expectations. There were an additional 77 investigations assigned to workers on leave or to supervisors. Some of these 77 investigations were assigned to workers who were on vacation or taking FMLA, some of them could have been appropriately assigned to a supervisor who has five days to assign a case, others could have been related to SHINES, and some could not have been assigned because there was no case manager available for case assignment. Nearly two thirds of the workers responsible for child permanency had caseloads that exceeded agreed upon limits. On December 31, 2016, the only case manager series meeting caseload standards were the ones responsible for preserving families outside of foster care. More supervisors were exceeding the 5:1 standard for supervision in Period 22 than in the previous period. This performance underscores the stress the workforce is under, and continues to justify the DFCS leadership focus on creating a robust workforce as a core reform priority.

<b>Strengthened Infrastructure Outcomes Effective Oversight of Placement Settings</b>	<b>Period 20 Performance</b>	<b>Period 21 Performance</b>	<b>Period 22 Performance</b>
<b>Outcome 25:</b> At least 98% of all foster placements serving class member children shall be in full approval and/or licensure status.	<b>96%</b>	<b>96%</b>	<b>95%</b>
<b>Outcome 26:</b> 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.	<b>98%</b>	<b>94%</b>	<b>92%</b>
<b>Outcome 31:</b> 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. <sup>17</sup>	<b>.6%</b>	<b>1%</b>	<b>1.2%</b>

## Conclusion

Taken together, the Period 22 reports suggest that Fulton and DeKalb county leadership – along with state leaders – continued to contend with mounting system pressures. The results indicate that their efforts to maintain progress – or even hold steady – on safety, permanency, and well-being outcomes continue to yield mixed results. There is a clear need to improve quality engagement with children and their families, and to focus those elements of practice and casework that required sustained effort and attention to see a case through to a safe and permanent conclusion.

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 an opportunity to reverse the decline in those areas that dipped, and to continue to build on existing strengths.

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<sup>17</sup> 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 FOUR - 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.”*<sup>18</sup> 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).

Based on current DFCS policy 5.19, special investigations are required, among several criteria, when a child is in DFCS custody and any person has allegedly maltreated that child, including a DFCS or Child Placing Agency (CPA) foster or adoptive parent, approved relative or non-relative caregiver, Child Caring Institution (CCI) staff and other placement resources for children in DFCS custody.

### **Children in Foster Care are Safe from Maltreatment**

Between July 1, 2016 and December 31, 2016, there were 1,969 children and youth in foster care in DeKalb and Fulton counties. There were 93 investigations of reported maltreatment in care involving 117 alleged victim children during this period. Maltreatment in care allegations were substantiated for 12 children; five of these substantiations involved a foster parent or facility staff person thus meeting the prior federal definition of maltreatment in care.

#### ***Outcome 1 - Maltreatment in Care Investigations Commenced Within 24 Hours of Receipt of Report.***

The Consent Decree states, “at least **95 percent** 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.” For Period 22, the Accountability Agent and MTAT have relied on Chapter Five, Investigations, in the Georgia Division of Family and Children Services Child Welfare Policy Manual for current policy expectations related to special investigations of maltreatment in care.

The investigation process must include an interview and observation that is private and alone with each alleged victim child within the immediate, 24-hour response time to assess for child

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<sup>18</sup> See p. 4, Principle 4, of the Consent Decree.

safety.<sup>19</sup>

Outcome 1 relates to the timeframe in which an investigation of suspected maltreatment of a foster child has commenced. The unit of analysis is the investigation itself, which may involve multiple alleged child victims.

### State Performance

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

During Period 22, **89 percent** (82 of 92) of applicable investigations of maltreatment in care included face-to-face contacts made with at least one alleged victim within 24 hours.<sup>20</sup> Of the ten investigations not commenced within 24 hours, half of them were the responsibility of DeKalb and Fulton counties, the remaining ones fell to the State Special Investigations Unit. This is depicted in the chart below.

#### Outcome 1 – Commencement of Maltreatment in Care Investigations

N=92

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	25	83%	5	16%	30	33%
Perimeter Counties	24	100%	0	0%	24	26%
State Special Investigations Unit	33	87%	5	13%	38	41%
<b>Total</b>	<b>82</b>	<b>89%</b>	<b>10</b>	<b>11%</b>	<b>92</b>	<b>100%</b>

Source: Case File Review of All Maltreatment in Care Investigations, July to December 2016.

Five alleged victim children were seen and removed from the location of the maltreatment before or at the time of the report of possible maltreatment. Although these cases did not meet the consent decree standard for Outcome 1, these children were protected from the alleged harm in that placement setting.

This is according to file review data of all 93 maltreatment investigations completed during the

<sup>19</sup> DFCS Policy 5.21 Conducting Special Investigations in Relative or Non-Relative Placements, DFCS Policy 5.22 Conducting Special Investigations in Residential and Non-Residential Facilities

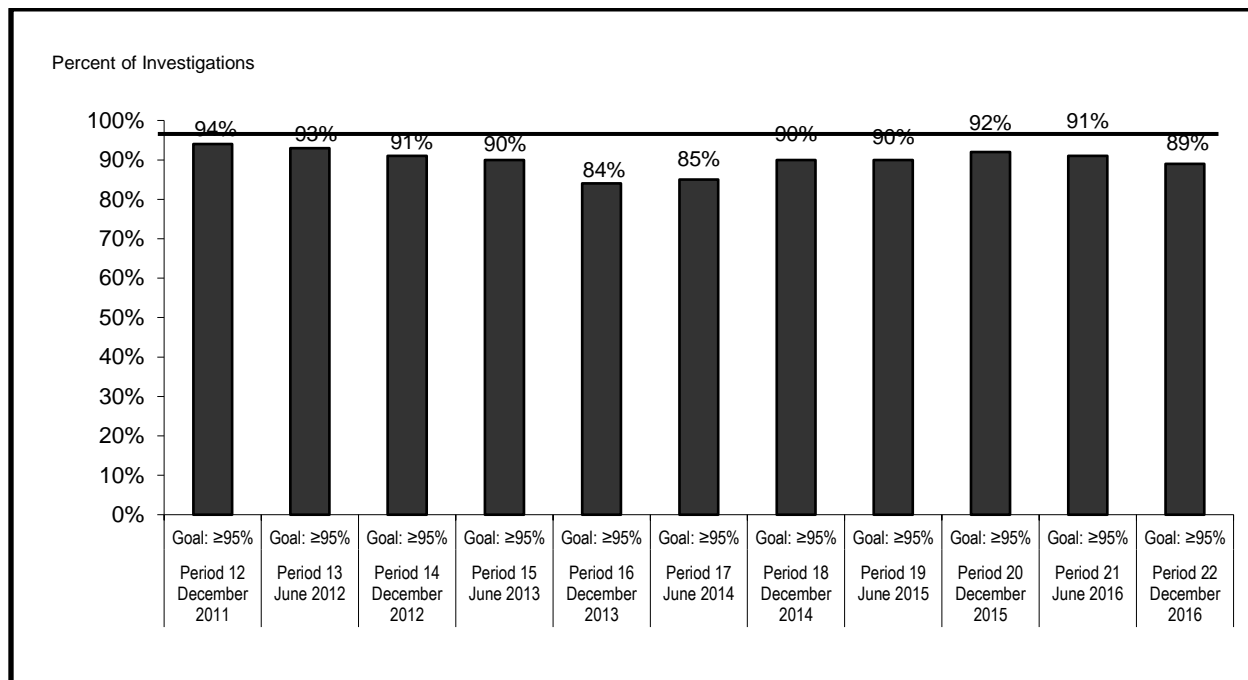
<sup>20</sup> There were 93 investigations of maltreatment in care. One of them was removed from this measure because the alleged victim child was back in Michigan before the report was received.



Period. In these investigations, at least one victim child must be seen by a Child Protective Services (CPS) investigator or police officer to meet this 24-hour requirement. Other case managers do not count unless these persons have been certified as CPS investigators.

The graph below depicts the State's performance over the past ten reporting periods.

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



Source: Case File Review of All Maltreatment in Care Investigations, July 2010 to June 2016.

***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 percent** 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.” For this Period, the Accountability Agent and MTAT have relied on Chapter Five, Investigations, in the Georgia Division of Family and Children Services Child Welfare Policy Manual for current policy expectations related to special investigations of maltreatment in care.

Special investigations must be completed within 30 calendar days of receipt of an intake report to assess the allegations of abuse or neglect, determine if the child is safe, take action to protect a child who is determined to be unsafe and determine if the allegations should be substantiated

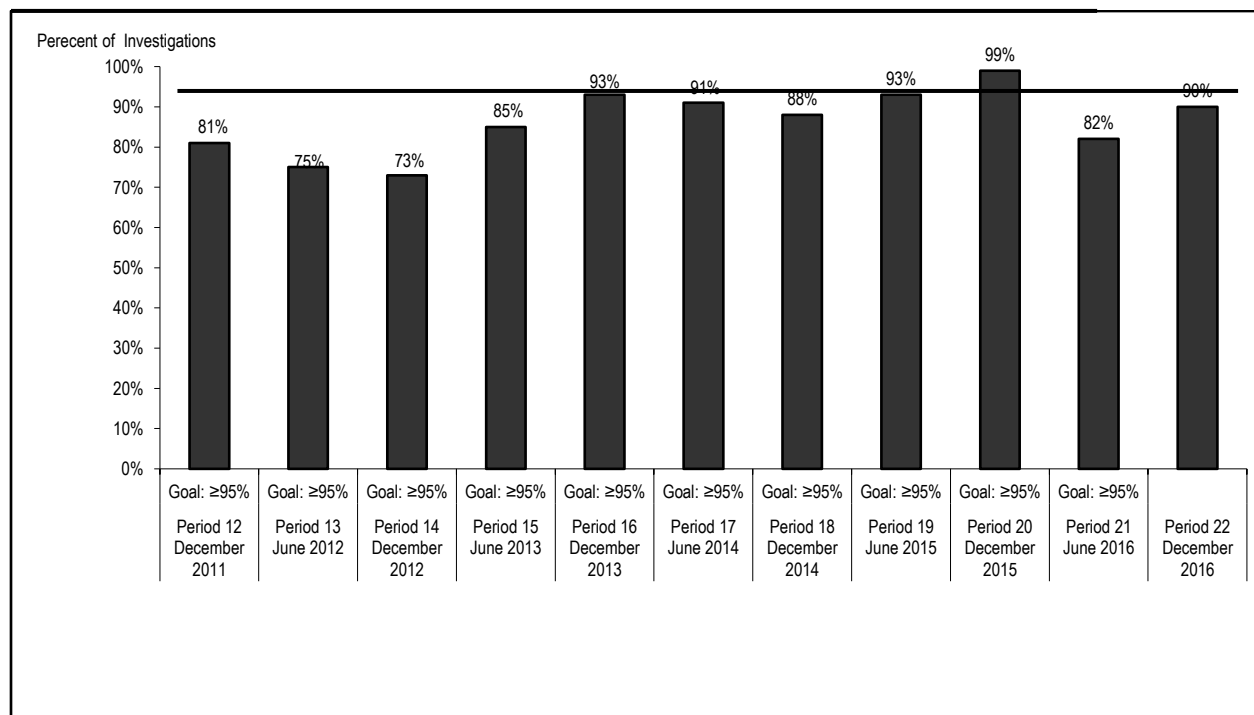
or unsubstantiated.<sup>21</sup>

### State Performance

- ***The State did not meet the Outcome Measure 2 Threshold.***

According to the record review data, the State completed **90 percent** of maltreatment in care investigations (84 of 93) within 30 days during Period 22. The graph on the following page displays the State's performance over the past ten 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 2011 to December 2016.

The chart below displays the Period 22 performance of DeKalb and Fulton counties, the State Special Investigations Unit, and the perimeter counties. It should be noted that 99 percent of the investigations during the Period were completed in 45 days.

<sup>21</sup> DFCS Policy 5.21 Conducting Special Investigations in Relative or Non-Relative Placements, DFCS Policy 5.22 Conducting Special Investigations in Residential and Non-Residential Facilities

**Outcome 2 – Timely Investigations**  
**N=93**

Investigating County	Completed in ≤ 30 Days		Completed in ≤ 45 Days		Total	
	Number	% of Total	Number	% of Total	Number	% of Total
DeKalb/Fulton	27	87%	30	97%	31	100%
Perimeter Counties	23	96%	24	100%	24	100%
State Special Investigations Unit <sup>22</sup>	34	89%	38	100%	38	100%
<b>Total</b>	<b>84</b>	<b>90%</b>	<b>92</b>	<b>99%</b>	<b>93</b>	<b>100%</b>

Source: Case File Review of All Maltreatment in Care Investigations, July to December 2016.

***Outcome 3 - Maltreatment in Care Investigations with Timely Face-to-Face Private Contact 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.”

The investigation process must include an interview and observation that is private and alone with each alleged victim child within the immediate 24-hour response time to assess for child safety.<sup>23</sup>

CPS investigators must see infants under the age of one undressed to see if there are any physical signs of maltreatment. Any child four years of age or younger and the subject of physical abuse allegations must be seen undressed to identify any injuries related to neglect allegations.<sup>24</sup>

<sup>22</sup> 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.

<sup>23</sup> DFCS Policy 5.21 Conducting Special Investigations in Relative or Non-Relative Placements, DFCS Policy 5.22 Conducting Special Investigations in Residential and Non-Residential Facilities

<sup>24</sup> Ibid.

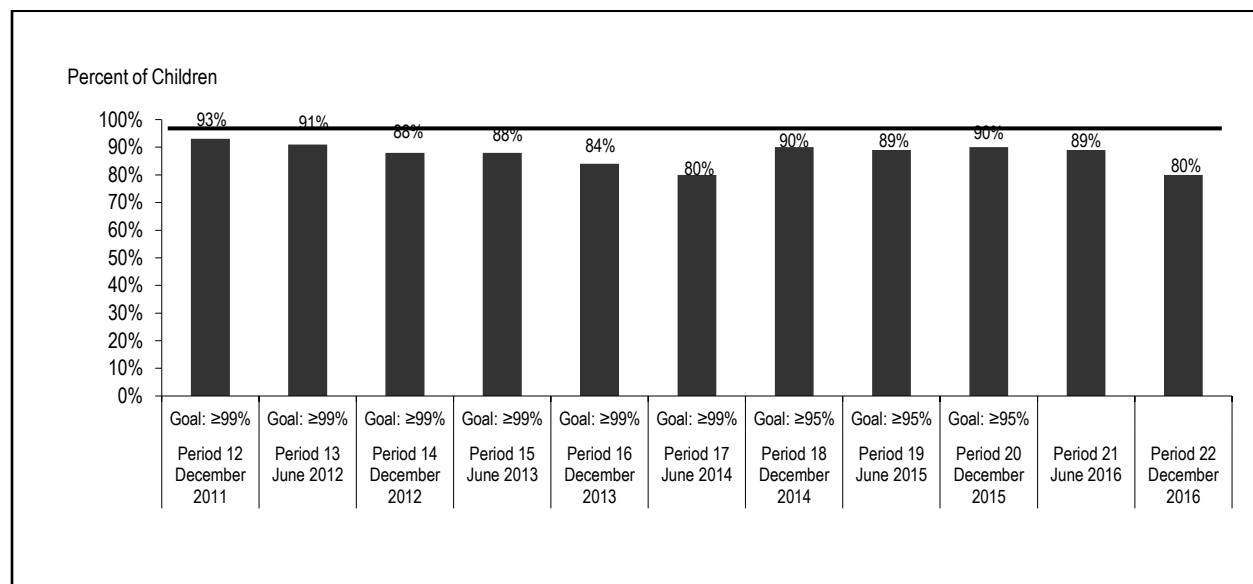
## State Performance

- ***The State Failed to Meet the Outcome Measure 3 Threshold.***

According to record review data from all investigations completed during Period 22, **80 percent** of the alleged victims of maltreatment in care (93 of 116) had face-to-face, private contact with a CPS investigator within 24 hours.<sup>25</sup>

Performance dropped during Period 22 and remains well below the Outcome 3 performance standard of 99 percent. The following chart illustrates the State's performance on Outcome 3 for the last ten reporting periods.

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



Source: Case File Review of All Maltreatment in Care Investigations, July to December 2016.

Twenty-three alleged victim children did not have face-to-face, private contact within 24 hours. Twenty-two of them were not seen within 24 hours; one of them was seen by the investigator who did not follow policy when interviewing the alleged victim child. Eight of these alleged victim children were in cases investigated by DeKalb and Fulton counties, fifteen of them were in cases investigated by the State Special Investigations Unit. All the investigations conducted by perimeter counties met the Outcome 3 standard.

<sup>25</sup> There were 117 alleged victims of maltreatment in care. One of them was removed from this measure because the alleged victim child was back in Michigan before the report was received.

It is important to note that that of the 23 alleged victim children for whom the response time was missed; ten were removed from the location in which the maltreatment was alleged to have occurred within 24 hours, but were not interviewed per policy within this timeframe.

Displayed in the following charts are additional Outcome 3 data for Period 22.

**Outcome 3 – Face-to-Face Contact with Alleged Maltreatment Victims within 24 Hours**  
**N=116**

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	31	79%	4	10%	4	10%	39	100%
Perimeter Counties	26	100%	0	%	0	0%	26	100%
State Special Investigations Unit <sup>26</sup>	36	71%	6	12%	9	18%	51	100%
<b>Total</b>	<b>93</b>	<b>80%</b>	<b>10</b>	<b>9%</b>	<b>13</b>	<b>11%</b>	<b>116</b>	<b>100%</b>

Source: Case File Review of All Maltreatment in Care Investigations, July to December 2016.

**Documented Factors Contributing to Delayed Initial Contact with Alleged Victims<sup>27</sup>**

Factors Contributing to Delayed Initial Contact	Period 22	
	OM 1	OM 3
Delayed Referral by Placement Case Manager	1	3
Worker Making Contact Not CPS Certified	2	4
CPS made contact but did not follow policy when interviewing child	0	1
One or more attempts were made but unsuccessful.	5	9
<b>Total</b>	<b>8</b>	<b>17</b>

<sup>26</sup> 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.

<sup>27</sup> 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.

Source: Case File Review of All Maltreatment in Care Investigations, July to December 2016.

DFCS policy details expectations for investigations of maltreatment in care to ensure consistency and quality. DFCS generally met policy expectations related to reviewing the DFCS history of the foster parents or caregivers, adequately evaluating and assessing the safety of children in the home and seeing/interviewing every alleged maltreated child separately in Period 22.

Policy requires all injuries observed during the investigation to be photographed. In Period 22, this occurred in 30 percent (21 of 69) applicable investigations. All foster parents or caregivers should be interviewed regardless of being present during the alleged incident. Reviewers found this to be the case in 82 percent of applicable investigations. Investigators reviewed the CPS history of foster parents in 71 percent of the time.

These and other policy expectations are outlined in the following chart.

#### Investigations Meeting Policy Requirements<sup>28</sup>

Investigation Policy Requirement	Percent Meeting Expectations	
	Period 21	Period 22
Alleged maltreater was interviewed separately	86%	83%
Investigator saw/interviewed every alleged maltreated child separately	96%	99%
Continued safety of the child(ren) placed in the home was adequately evaluated and assessed	94%	90%
Investigator reviewed the DFCS history of the foster parent/caregiver	96%	83%
All approved foster parents/caregivers interviewed separately	87%	82%
DFCS case managers required to visit in this foster care setting were contacted	86%	80%
All other adults frequently in the home interviewed separately	87%	88%
Investigator reviewed previous CPS reports for foster parents/caregivers	81%	71%
At least two relevant collateral sources contacted during the investigation	78%	76%
Investigator saw/interviewed each of the other children (non-alleged victims) separately	78%	88%
Case record contains physical evidence to support case documentation	67%	48%

<sup>28</sup> The numbers vary based on placement settings and other factors.

Source: Case File review of all Maltreatment in Care Investigations, January to December 2016

At the conclusion of Maltreatment in Care investigations, if the incident occurred in a provider-supervised foster care setting, an investigative summary must be sent to Residential Child Care (RCC) and Office of Provider Management (OPM) within 10 days.

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).<sup>29</sup> 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] .... that contributed to the abuse or neglect; whether the contract should be terminated; whether particular homes or facilities should be closed....”<sup>30</sup>

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

The Residential Child Care (RCC) Unit must be notified of all investigations of maltreatment in care in which the child is placed in a provider supervised foster care settings, including private agency supervised foster homes and child caring institutions. The alleged maltreater could have been anyone. In Period 22, proper notification was given for 94 percent of applicable maltreatment in care investigations.

**Residential Child Care Notification of  
Period 22 Maltreatment in Care Investigations  
N=35**

Investigating County	Total Investigations	Notified		Not Notified	
	Number	Number	% of Total	Number	% of Total
DeKalb	4	3	75%	1	25%
Carroll	1	1	100%	0	0%
Fulton	3	3	100%	0	0%
Clayton	3	3	100%	0	0%
Newton	2	1	50%	1	50%
Paulding	1	1	100%	0	0%
Walton	1	1	100%	0	0%
Gwinnett	4	4	100%	0	0%

<sup>29</sup> 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.

<sup>30</sup> See Section 12 B, p. 28 of the Consent Decree.

Investigating County	Total Investigations Number	Notified Number	Notified % of Total	Not Notified Number	Not Notified % of Total
Laurens	1	1	100%	0	0%
Richmond	2	2	100%	0	0%
Rockdale	2	2	100%	0	0%
State Office (SIU)	11	11	100%	0	0%
Total	35	33	94%	2	6%

Source: Survey of Notification of CPS Investigations in Foster Care Settings, July to December 2016.

The Office of Provider Management (OPM) Unit must be notified of all investigations of Maltreatment in Care in which the child is placed in provider supervised foster care settings operating under DFCS contracts, including private agency supervised foster homes and child caring institutions. The alleged maltreater could have been anyone. This notification happened in 100 percent of the time in Period 22.

**Office of Provider Management  
Notification of Period 22 Maltreatment in Care Investigations  
N=27**

Investigating County	Total Investigations	Notified		Not Notified	
	Number	Number	% of Total	Number	% of Total
DeKalb	3	3	100%	0	0%
Fulton	3	3	100%	0	0%
Paulding	1	1	100%	0	0%
Walton	1	1	100%	0	0%
Clayton	3	3	100%	0	0%
Gwinnett	3	3	100%	0	0%
Newton	2	2	100%	0	0%
Richmond	2	2	100%	0	0%
Rockdale	1	1	100%	0	0%
State Office (SIU)	8	8	100%	0	0%
Total	27	27	100%	0	0%

Source: Survey of Notification of CPS Investigations in Foster Care Settings, July to December 2016.

**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.”*<sup>31</sup>

<sup>31</sup> 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



The data used to measure the outcome performance derive from a review of all 93 investigations of alleged maltreatment concerning 117 class member children in foster care in DeKalb and Fulton counties conducted during Period 22. There were 1,969 children and youth in foster care in DeKalb and Fulton counties at any time during the period, which is the denominator for this outcome measure.

The numerator for this measure is the number of substantiated victim children who were maltreated by a foster parent or facility staff person, which was the federal definition for this measure in 2005 at the time parties entered into the previous Consent Decree. Excluded from this numerator are substantiations of maltreatment when the perpetrator is unknown, a birth parent, or relative caregivers or fictive kin who are not approved foster parents in Georgia, other members of the child's household and other child caring staff persons such as daycare providers, school teachers.

### **State Performance in Period 22**

- ***The State Surpassed the Outcome 5 Threshold***

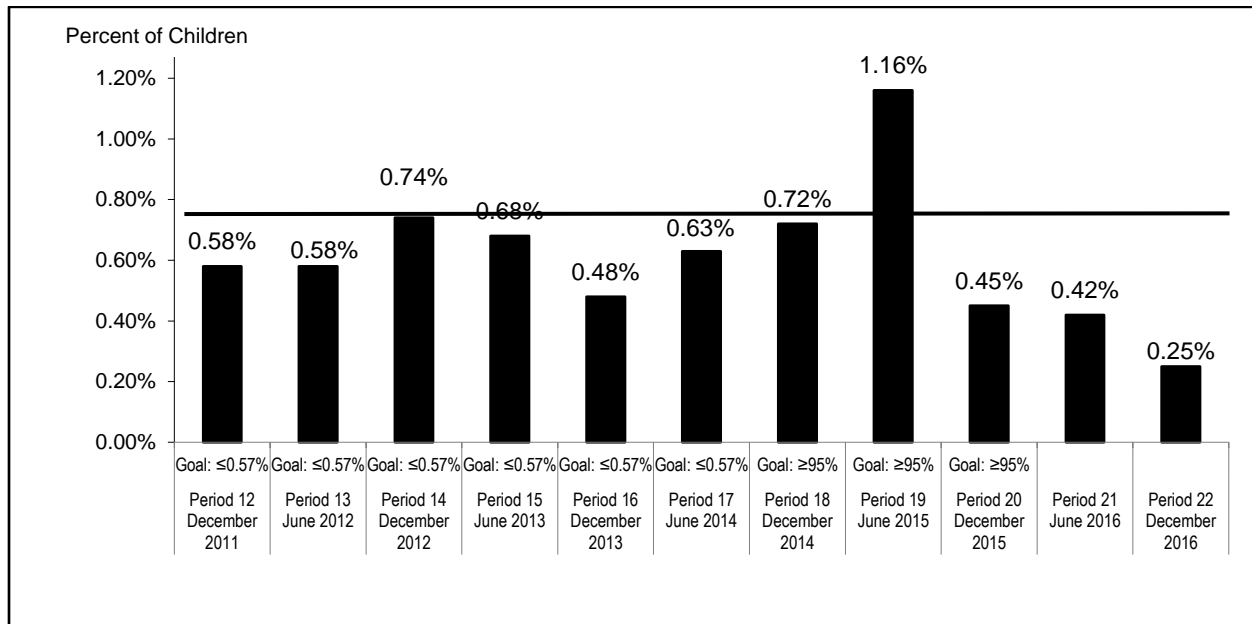
Of the 1,969 children and youth in foster care at any point in time during the period, there were 93 investigations that resulted in there being five (5) victims of substantiated maltreatment by a foster parent or facility staff person. These five victims represent **.25%** percent of the population of children and youth in foster care during the Period. This is consistent with the previous period and is a marked improvement from Period 19 performance of **1.16** percent.

The following graph displays the State's performance over the past ten reporting periods.

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on Program Improvement Plans. Information Memorandum ACYF-CB-IM-01-07, August 16, 2003. That standard was later revised to .32, or 99.68 children should be free from maltreatment while in care.

**State Performance on Outcome 5  
Maltreatment in Care**



Source: Case File Review of All Maltreatment in Care Investigations, January to December 2016.

The type of maltreatment substantiated for these five children was inadequate supervision. There were two substantiated victims being cared for in Child Caring Institutions (CCIs), two of them in provider supervised foster homes, and one of them was in a PRTF. Of particular concern, one of these young persons was shot with a taser by his foster parent.

Although not included in the measure's calculations, there were seven (7) other children from DeKalb and Fulton counties substantiated for being maltreated in foster care. Six (6) of these children were maltreated by biological parents and one by another household member.

***Outcome 6 – Corporal Punishment.***

The Consent Decree prohibits the use of corporal punishment for children and youth in foster care and contains certain requirements for assessing allegations of corporal punishment.<sup>32</sup> The following section summarizes the extent to which DFCS met these agreed upon standards in Period 22.

<sup>32</sup> See pages 29 and 30, Section 12.C of the Consent Decree

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.”<sup>33</sup> 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.

#### **State Performance**

- ***The State Exceeded the Outcome Measure 6 Threshold.***

During Period 22, there were five (5) allegations of corporal punishment of children in foster care and four of them were referred to the Child Protective Services Intake Communications Center or CICC and then screened in for a CPS investigation. All four of these were investigated by CPS and then unsubstantiated. The remaining allegation was screened out and no further action was taken.

In total, 82 of 82 foster homes sampled (100%) had no confirmed incidents of corporal punishment in the previous 12 months, thus exceeding the Consent Decree standard.

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<sup>33</sup> See p. 2 of the Consent Decree.

## PART FIVE - 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.

### Children in Placements Maintain Family Connections

#### *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 relative 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 children<sup>34</sup> 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 did not meet the Outcome 7 Measure Threshold***

During Period 22, the counties documented diligent search efforts in 13 out of 22 (**59%**) of the cases reviewed. Due to the small sample size, performance for this measure may be highly variable. The primary reason (7 out of 9) that the State did not meet the threshold was due to not interviewing the child about any resources. The following chart displays additional

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<sup>34</sup> If the child was aged 3 or younger, the record review did not seek to determine if the child was interviewed.

information about the State's documented diligent search efforts, followed by a graph displaying the State's performance over the past twelve reporting periods.

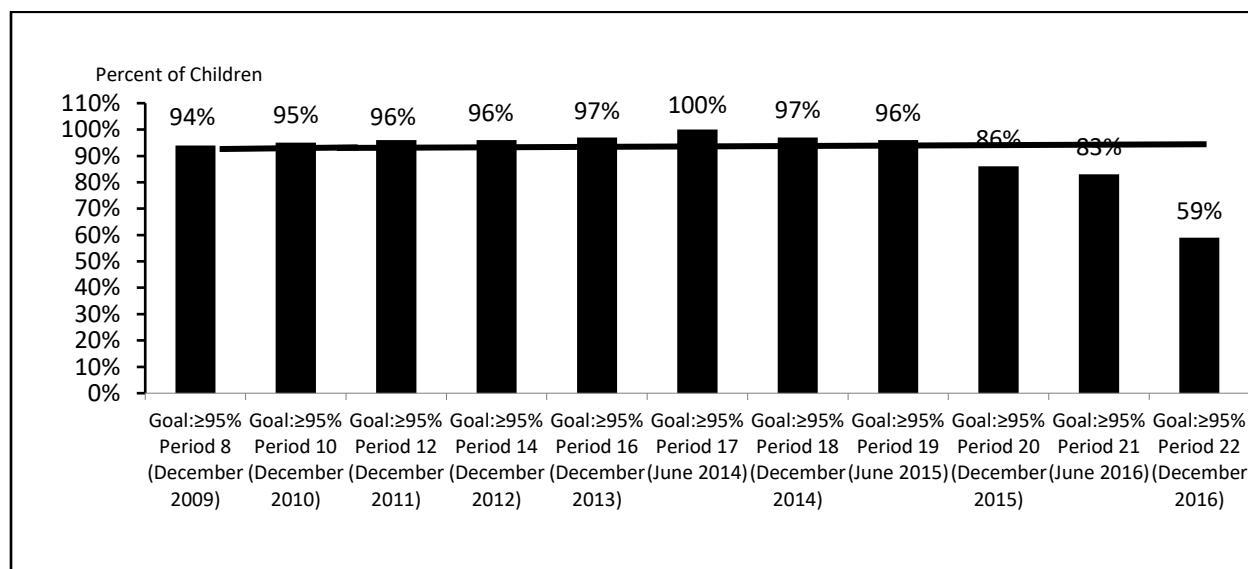
#### Diligent Search Actions Undertaken

N=22

Actions	Number	Percent
Children placed with a family resource within 60 days of entering custody	8	36%
Court order documented that the diligent search was "properly and timely" submitted	1	5%
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	4	18%
<b>Subtotal for Outcome Measurement</b>	<b>13</b>	<b>59%</b>
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)	9	41%
<b>Total</b>	<b>22</b>	<b>100%</b>

Source: Case Record Review, July 1 – December 31, 2016.

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



Source: Case Record Reviews

#### Outcome 16 – Sibling Placement.

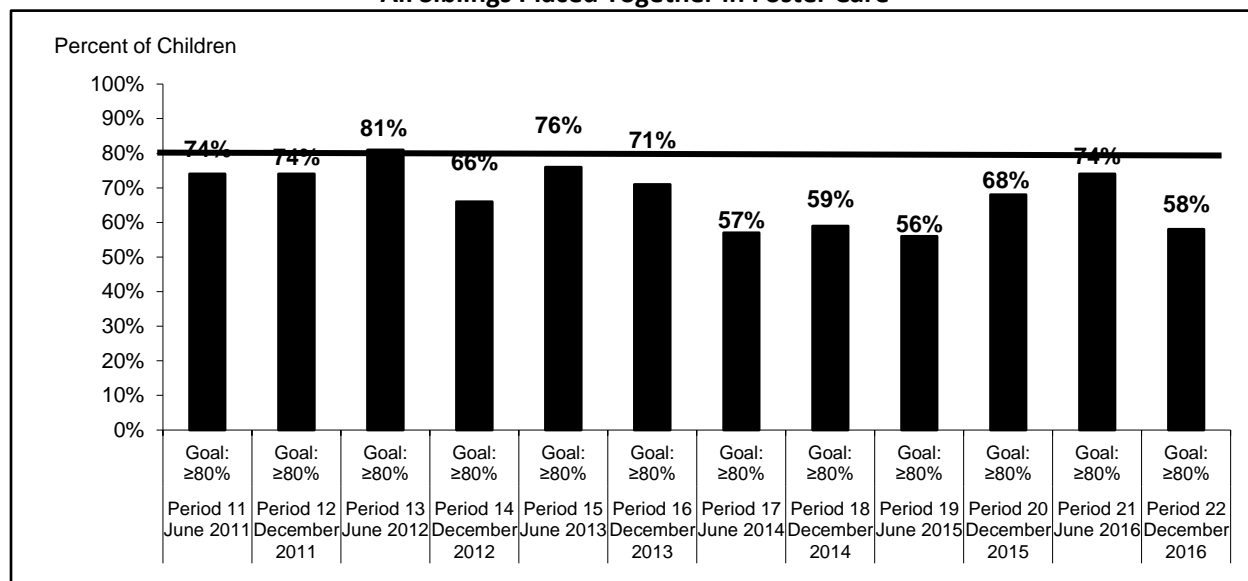
At least **80%** of all foster children who entered foster care during the reporting period along with one or more siblings shall be placed with all their siblings.

## State Performance

- ***The State Failed to Meet the Required Threshold for Outcome 16.***

During Period 22, the State's performance decreased sharply to 58 percent. The individual county performance for DeKalb and Fulton was 59 and 56 percent respectively. DeKalb County had five groups of 4-sibling families and two groups of 5-sibling families for which they could not find placements large enough for all siblings to be placed together. Fulton County could not find large enough placement settings for two groups of 4-sibling families and three groups of five sibling families. The county, regional and state leadership are working on increasing the number of approved and available placements for sibling groups – especially large sibling groups. In addition, the State Director has set a goal of placing 50 percent of children with appropriate and approved relative placements. The kinship workgroup is establishing strategies to achieve this goal and measure to track progress. Moreover, the Annie E. Casey Foundation Child Welfare Strategy Group has been asked to provide technical assistance to help the State become a Kin First organization. There are certain aspects of Solution Based Casework that require case managers to develop genograms for each family, which should enhance their efforts to identify and engage relatives. These efforts should have a positive impact on this outcome measure. In addition, under the recently approved Modified Consent Decree and Exit Plan, there will be an exception for large sibling groups. This new metric will be presented in the Period 23 report. The graph below depicts the State's performance over the past 12 reporting periods.

**Twelve Reporting Periods of State Performance on Outcome 16  
All Siblings Placed Together in Foster Care**



Source: Verified State Data

### ***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.<sup>35</sup> The Consent Decree allows for the following exceptions:

- Children with needs so exceptional that they cannot be met by a family or facility in their own county or within 50 mile radius;
- Children placed with relatives through ICPC;
- Children in an adoptive placement; and
- Children placed with parent/guardian.

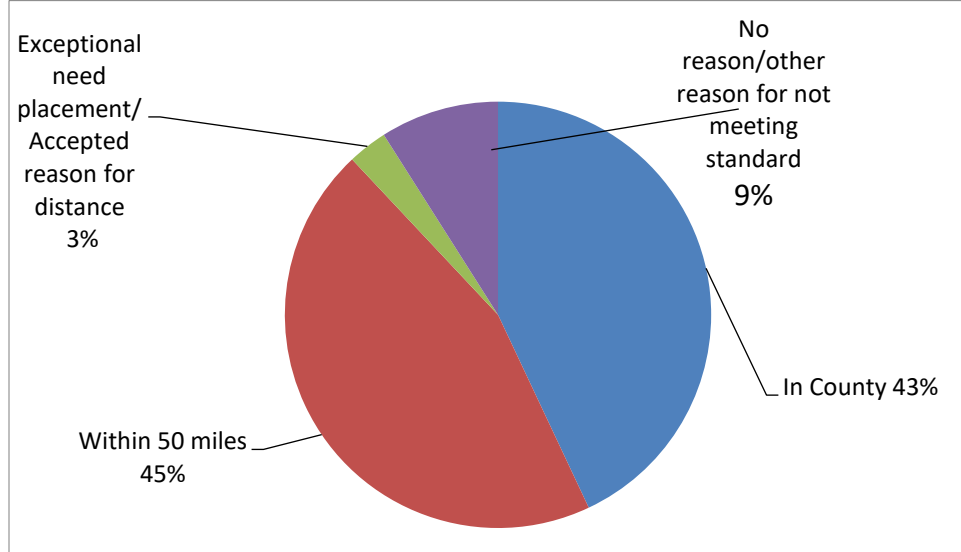
### **State Performance**

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

During Period 22, out of the 92 children in the sample, the counties placed 40 children (43%) within their home county; 41 children (45%) 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 8 children (9%) were not placed in proximity to their homes of removal. Thus, the State's performance for Period 22 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.

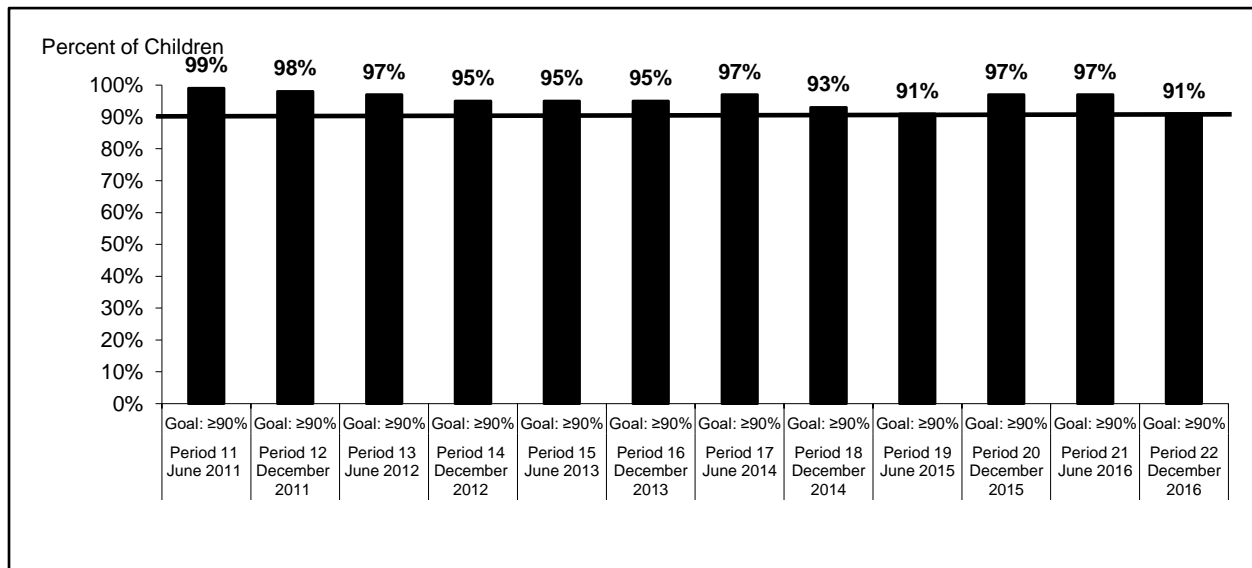
<sup>35</sup> See p. 35, Outcome 19, of the Consent Decree.

**Child Placement Proximity to Home of Removal**  
**N=92**



Source: Foster Care Case Record Review for July to December 2016.

**Twelve Reporting Periods of State Performance on Outcome 19**  
**Placement Proximity**



Source: Review Period Foster Care Case Record Reviews January 2010 – December 2016.

**Outcome 21 – Parent Child Visitation**

At least **85 percent** of all children with the goal of reunification shall have appropriate visitation with their parents to progress toward reunification.

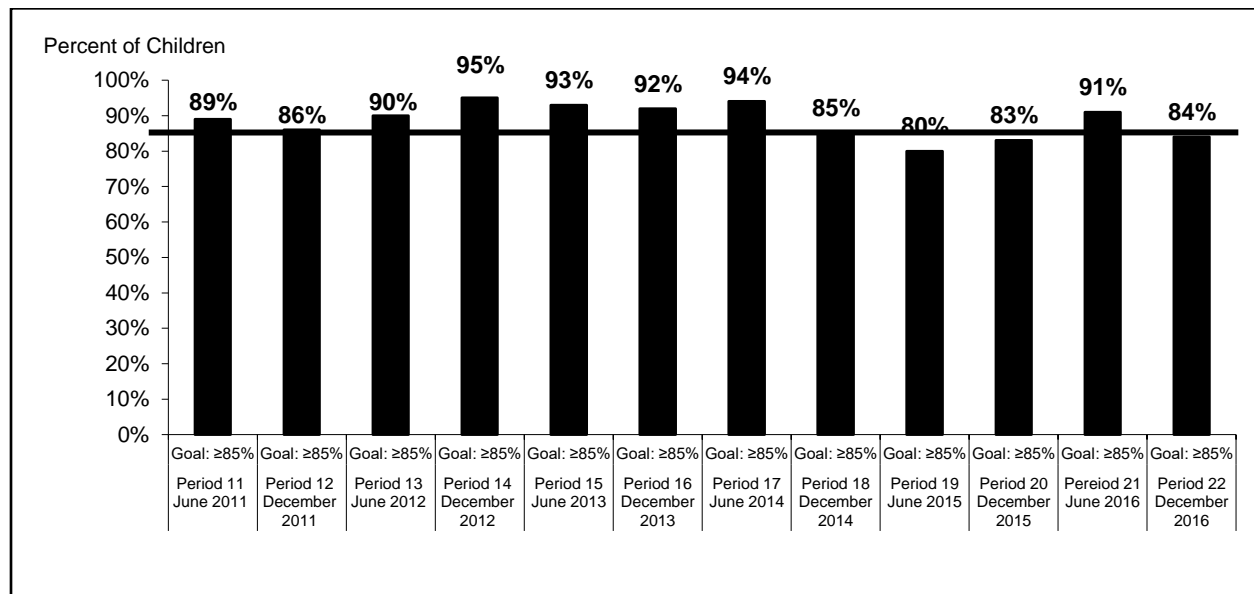


## State Performance

- ***The State Did Not Meet the Outcome 21 Threshold.***

During Period 22, the State's performance decreased from **91 percent to 84 percent, falling below the threshold**. During Period 22, the performance in DeKalb County was 76.8 percent and the performance in Fulton County was 93.6 percent. The graph below depicts the State's performance over the past 12 reporting periods.

**Twelve Reporting Periods of State Performance on Outcome 21  
Parent Child Visitation**



Source: Verified State Data

## ***Outcome 23 – Sibling Visitation***

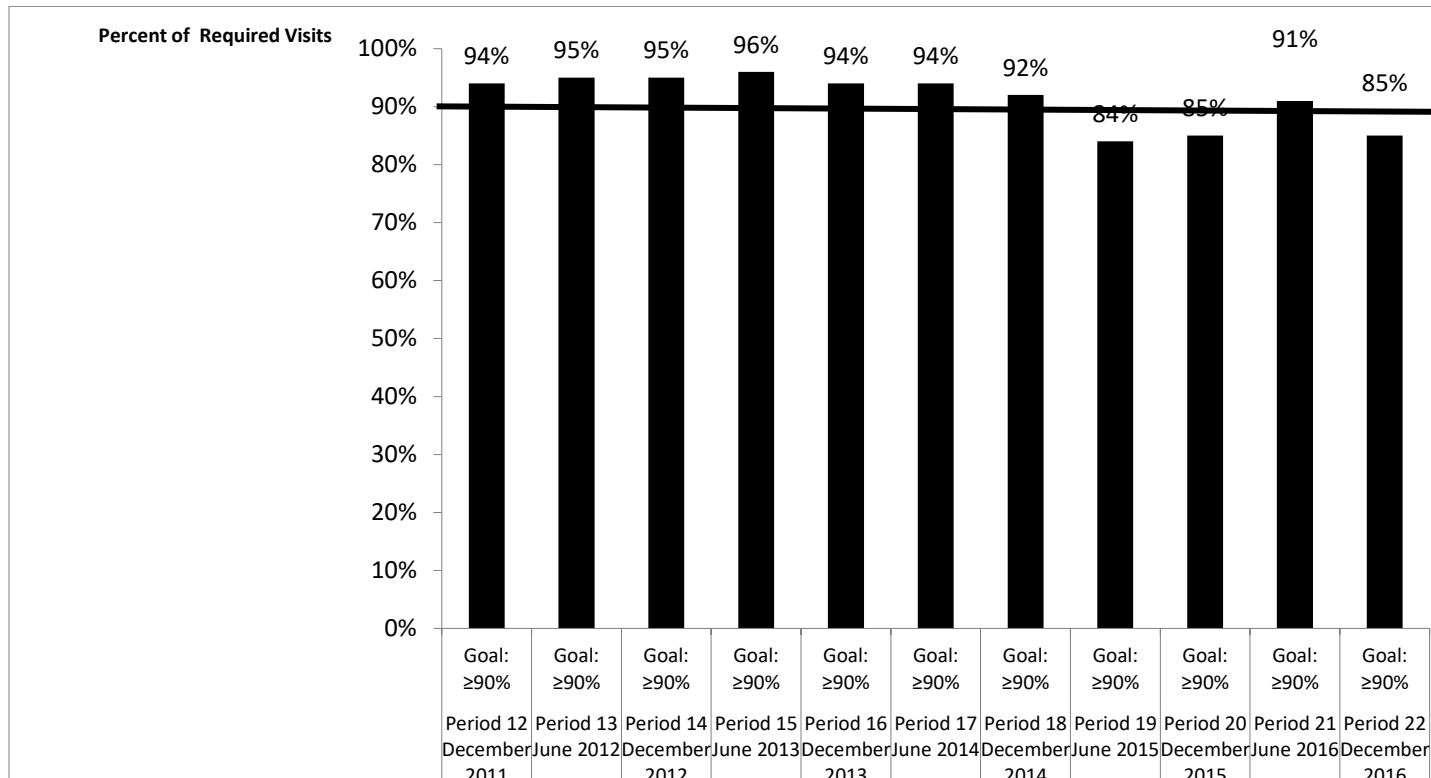
At least **90 percent** of the total minimum number of required monthly sibling group visits shall have taken place during the reporting period. Children who have one or more siblings in custody with whom they are not placed shall be provided a visit with their siblings at least one time each month, 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.

## State Performance

- ***The State Did Not Meet the Required Threshold for Outcome 23.***

The Period 22 performance of **85 percent** is a decrease from the Period 21 performance (90%) and falls below the required threshold. During Period 22, the performance in DeKalb County was 80 percent and the performance in Fulton County was 92.2 percent. The graph below depicts the State's performance over the past twelve reporting periods.

**Eleven Reporting Periods of State Performance on Outcome 23  
Sibling Visitation**



Source: Verified State Data

## Children Achieve Permanency

### *Outcome 4 – Re-Entry into Custody.*

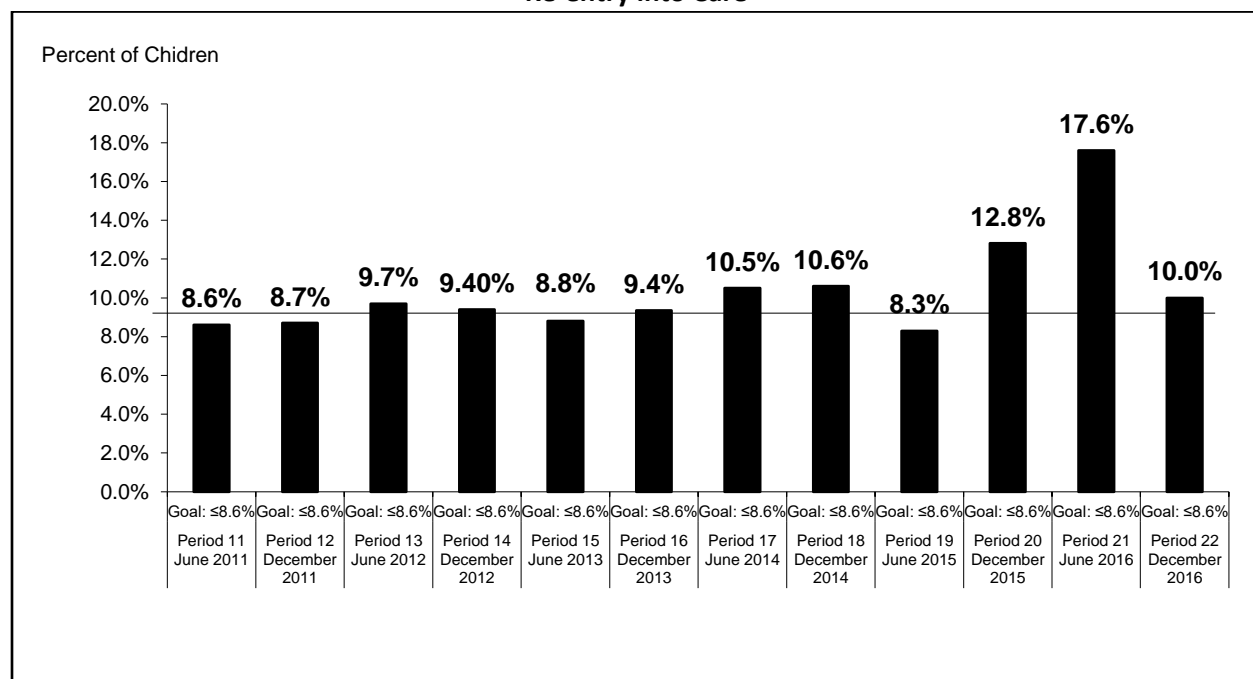
No more than **8.6 percent** of all foster children entering custody shall have re-entered care within 12 months of the prior placement episode.

### State Performance

- *The State Failed to Meet the Threshold Requirement for Outcome 4.*

Even though the State did not meet the threshold, the State's performance in Period 22 (**10%**) is a significant improvement over the Period 21 performance (17.6%). The individual county performance for DeKalb and Fulton was 8.1% and 12.3% respectively. DeKalb County had one sibling group of two re-enter, while Fulton County had three sibling groups of two and one sibling group of three re-enter during the Period. Even though this did not have a significant impact on the overall performance measure, it may account for the different re-entry rates between the two counties. The graph below depicts the State's performance over the past twelve reporting periods.

**Twelve Reporting Periods of State Performance on Outcome 4  
Re-entry into Care**



Source: Verified State Data

***Outcome 8a and 8b – Permanency Exits for Children Who Entered Care On or After October 21, 2005.***

**8a** - Of all the children entering custody following the entry of the Consent Decree, at least **40 percent** 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.

**State Performance** *The State Met the Threshold Requirement for Outcome 8a.* The State's Period 22 performance of **58 percent** exceeds the required threshold. The State has consistently exceeded this outcome.

**8b** - Of all the children entering custody following the entry of the Consent Decree, at least **74 percent** 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.

#### State Performance

- *The State Failed to Meet the Threshold Requirement for Outcome 8b.*

The Period 22 performance of **65 percent** did not meet the required threshold. The State has never met this Consent Decree requirement but has generally trended in a positive direction.

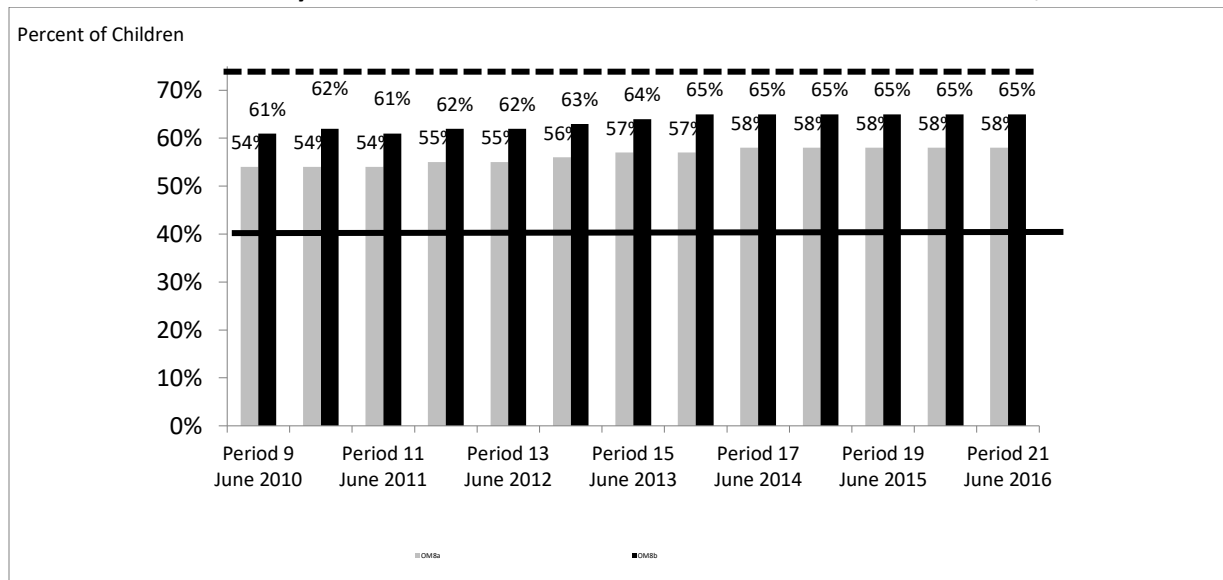
**Outcome 8**  
**Children Entering DFCS Custody on or after October 27, 2005**  
**Who Exited to Permanency by December 31, 2016**

	Children who entered custody on or since October 27, 2005	
<b>Number of children in cohort</b>	<b>13815</b>	
Exits as of December 31, 2016	8(a)	8(b)
Reunification within 12 months	6430	6430
Permanent Placement with Relatives within 12 months (still in state custody)	0	0
Permanent Legal Custody within 12 months (custody transferred from DFCS)	920	920
Permanent Legal Custody between 12 and 24 months (custody transferred from DFCS)		364
Adoption within 12 months	31	31
Adoptions between 12 and 24 months		251
Guardianship within 12 months	641	641
Guardianships between 12 and 24 months		273
<b>Total Exits for Outcome Measurement</b>	<b>8022</b>	<b>8910</b>
<b>Percentage Exiting for Outcome Measurement</b>	<b>58%</b>	<b>65%</b>
Number Exited to Permanency but not in required time frame	2054 (15%)	
Other exits (transfer to other counties, emancipation, etc.)	1318 (10%)	
Total number exiting	<b>12282 (89%)</b>	
<b>Remaining number in cohort on December 31, 2016</b>	<b>1533 (11 %)</b>	
Demographics of those still in DFCS custody at December 31, 2016	Average length of stay: 20.7 months	
	Median length of stay: 17 months	
	Average Age: 8 years	
	52% female, 48% male	

Source: SHINES, and county tracking systems.

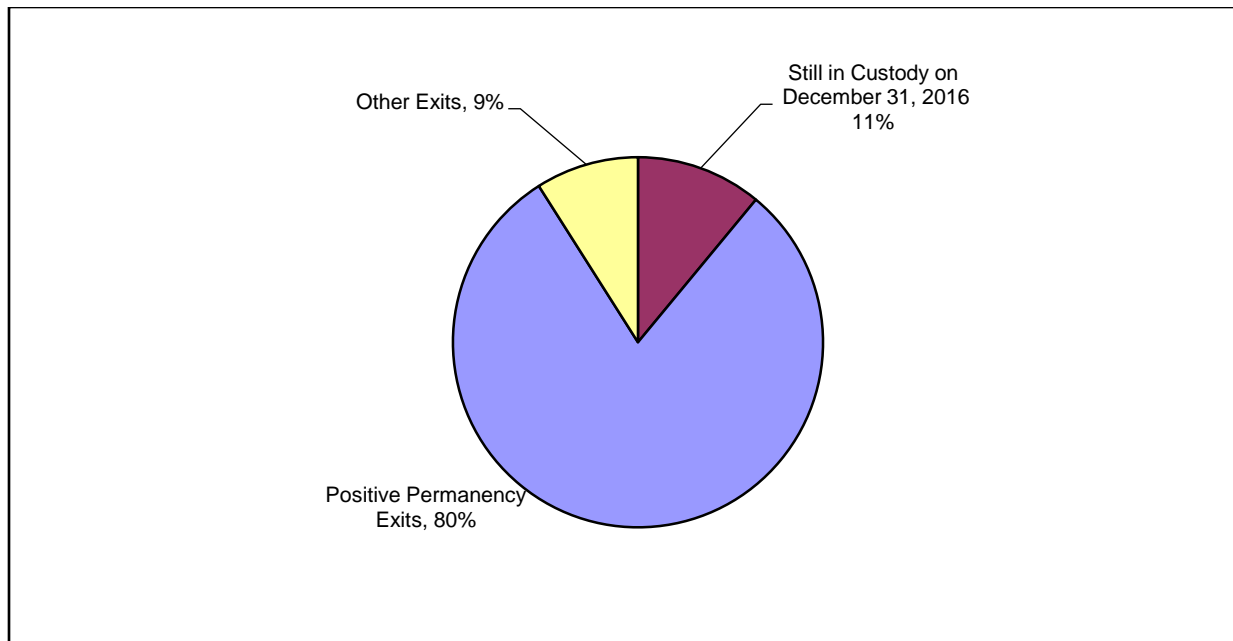
The following graph displays the State's performance over the 12 most recent reporting periods.

**Twelve Reporting Periods of State Performance on Outcome 8a and 8b  
Permanency Exits for Children Who Entered Care on or After October 21, 2005**



**Source:** SHINES, and county tracking systems.

The pie chart below illustrates the exit outcomes for all children who have entered state custody since the start of the Consent Decree.



**Source:** SHINES, and county tracking systems. \*Positive Permanency exits include reunification, adoption, guardianship, permanent legal custody, and permanent placement with relatives. Other exits include emancipation and transfer to other counties or states.

### Time in Care

As the earlier section suggested, recent placement dynamics suggest that duration has been increasing in the two counties. Although most children/youth who enter foster care in the two counties do eventually exit to a permanent exit, the time to achieve exit has been increasing. This is especially observable when considering the time it takes to exit for those children/youth whose removal episode lasts at least one month. That group is represented, by entry year, in the table below. It shows the time (in days) that elapsed as 25, 50 and 75 percent of each entry group exited foster care. The data table shows that duration sharply increased with the 2014 entry cohort. It took 99 *more* days for half of that group to leave than it did for the 2013 group. The 2015 group exited more slowly, with median duration going up another 67 days to 521. Through the permanency and workforce workgroups, the counties are analyzing data to determine the root causes of this slowdown, and to design strategies to counter it.

Days Passed Before Percentage of Selected Spells Are Completed						
	Region 14, All, 31+, 2011	Region 14, All 31+, 2012	Region 14, All 31+, 2013	Region 14, All 31+, 2014	Region 14, All 31+, 2015	Region 14, All 31+, 2016
25%	173	156	119	124	141	N/A
50%	395	389	355	454	521	N/A
75%	734	761	883	N/A	N/A	N/A
100%	N/A	N/A	N/A	N/A	N/A	N/A

Source: Center for State Child Welfare Data, Chapin Hall at the University of Chicago, 2017.

***Outcome 9 – Permanency Exits Among Children Who Had Been in the Custody of DeKalb or Fulton County Up to 24 Months as of October 27, 2005.***

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 percent** 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.

At the beginning of Period 22, there were 3 children remaining in the Outcome 9 cohort. One child exited due to emancipation (turned 18 during the Period). For the two children remaining in custody at the end of the Period, the average age was 16 and the primary permanency plan for each child is adoption. Each of the remaining young persons have mental health issues that impact their behavior.

***Outcome 10 – Permanency Exits Among Children Who Had Been in the Custody of DeKalb or Fulton County More than 24 Months as of October 27, 2005.***

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 percent** 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.

At the beginning of Period 22 there were two children remaining in the Outcome 10 cohort. One child exited due to emancipation (turned 18 during the Period). The remaining child is 17 years of age and has several health issues requiring 16 hours of nursing per day.

***Outcome 11 – Adoptions within 12 Months of Termination of Parental Rights.***

For all children, whose parental rights have been terminated or released during the reporting period, **80 percent** will have adoptions or legal guardianships finalized within 12 months of final termination or release of parental rights.

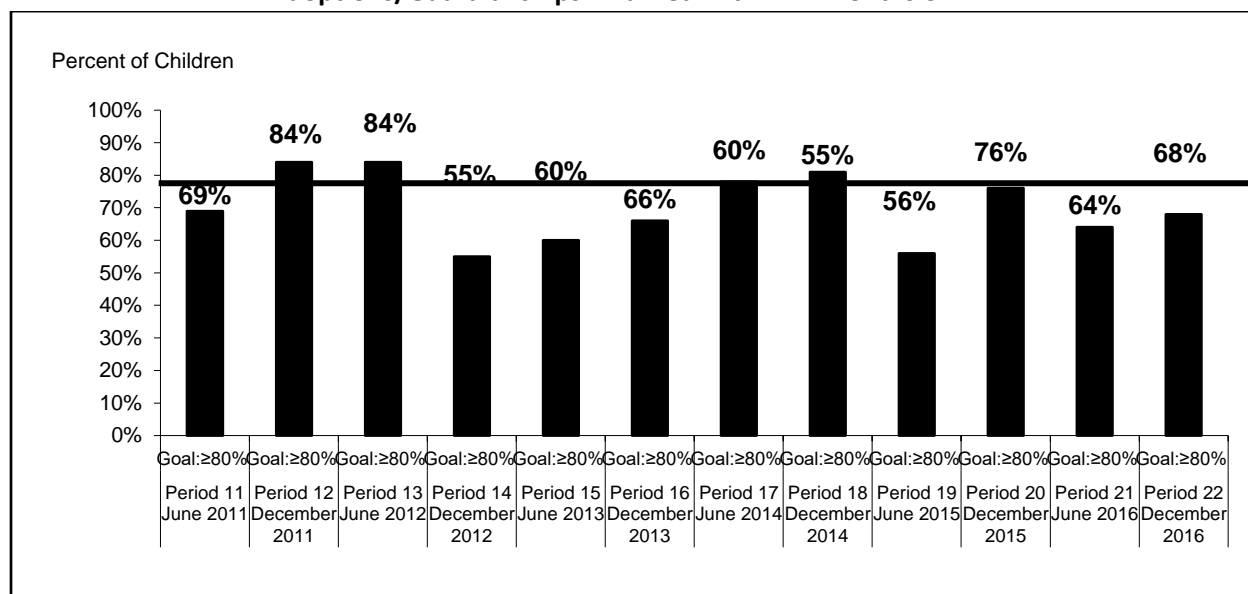
**State Performance**

- ***The State Fell Short of the Outcome 11 Threshold.***

The State’s performance increased slightly from 64 percent in Period 21 to **68 percent** in Period 22. The individual performance for DeKalb and Fulton were 63 percent and 79 percent respectively. Amongst the 41 children whose parents’ rights were terminated between July and

December 2015, only 28 children had their adoptions or guardianships finalized within 12 months. Out of the 10 children in DeKalb who did not have adoptions or legal guardianships finalized within 12 months, one child had their case finalized at the 14<sup>th</sup> month. Although the case was ready for finalization, the Superior Court held the case to include it in the National Adoption Month celebration. The county will work with the court to avoid such a delay in the future. The following graph depicts the State's performance over the past twelve reporting periods.

**Twelve Reporting Periods of State Performance on Outcome 11  
Adoptions/Guardianships Finalized within 12 months of TPR**



Source: Verified State Data

#### ***Outcome 14 – Adoption Disruptions within 12 Months of Finalizations.***

No more than **5%** of adoptions finalized during the reporting period shall disrupt within the 12 months subsequent to the reporting period.

Within the group of 61 children adopted between July 1 and December 31, 2015, none (0%) are known to have re-entered the State's custody by December 31, 2016. The State has surpassed this outcome measure in every reporting period.

#### **Other Practices and Processes to Promote Permanency**

The State reports that regularly scheduled reviews of progress toward permanency take place in each county for children who reach their 13<sup>th</sup> month in care. According to State reported data, 300 children reached their 13<sup>th</sup> month in care in Period 22. Of these 300 children, 284 had their



cases reviewed by the State Permanency Review Team. Reviewer concurrence with the goal and plan are typically low and often result in staffings to discuss appropriate casework. While the circumstances among these cases vary, there is a trend among cases in which the counties maintain a goal of reunification, despite having documentation and compelling reasons to transition the case to another plan. The counties are working to streamline the various reviews and to include family members in each of the reviews to understand their experience and to engage them in evaluating the goals of their own case. The number of Family Team Meetings (FTMs) held within 90 days of the 13<sup>th</sup> month review continues to decline to an all-time low of 16.5 percent. For several years, there was a focused effort on increasing the timeliness of FTMs. However, the turnover of case managers has affected the numbers of timely FTMs. The FTM staff was reduced in DeKalb County and there was a change of leadership in the FTM unit in Fulton County. While FTMs are occurring, they are not occurring timely and the counties are also working on implementing the authentic engagement framework of solution based casework, as more of the staff receive training and work toward certification. On a positive note, the percentage of timely approved case plans at the 25<sup>th</sup> month review increased from 70 percent in Period 21 to 87 percent in Period 22. The charts below provide additional information.

***DFCS Permanency Reviews at the 13<sup>th</sup> and 25<sup>th</sup> Month in Custody*****13<sup>th</sup> Month Permanency Review Implementation****July 1 through December 31, 2016****N=300**

	<b>Number</b>	<b>Percent</b>
Total Cases Reviewed by State Permanency Reviewers	284	95%
Reviewer Concurrence with goal and plan	116	41%
Permanency Goal		
Reunification	224	79%
Permanent placement with relative	0	0%
Adoption	31	11%
Guardianship	23	8%
Another planned permanent living arrangement	6	2%
Totals	284	100%
Cases with current case plans (court sanctioned/approved)	222	78%

Source: Division of Family and Children Services, State Permanency Review Project Director, 2016 Third and Fourth Quarterly Reports on 13<sup>th</sup> month Permanency Reviews.

**Family Team Meetings Convened for 13<sup>th</sup> Month Permanency Reviews****July 1 through December 31, 2016****N= varies**

	<b>Number</b>	<b>Percent</b>
Cases with “Family Team Meetings” (FTM) within the last 90 days (percentages based on the number of applicable cases =273)	45	16.5%
FTMs with mothers involved (percentages based on the number of FTMs held—excludes cases for which there was a TPR, a non-reunification order, the mother’s whereabouts were unknown throughout the life of the case, or the mother was deceased—N=42)	32	76.2%
FTMs with fathers involved (percentages based on the number of FTMs held—excludes cases for which there was a TPR, a non-reunification order, the father’s whereabouts were unknown throughout the life of the case, or the father was deceased—N=27)	12	44.4%
FTMs with relatives involved (percentages based on the number of FTMs held and potential relatives to invite — N=50)	27	54%
FTMs with foster parents involved (percentages based on the number of FTMs held and number of children with foster parents — N= 29)	7	24%
FTMs with service providers involved (percentages based on the number of FTMs held and number of children with service providers – N=43)	8	19%
FTMs had recommendations specific to Child/Family needs (percentages based on N=111)	91	82%

Source: Division of Family and Children’s Services, State Permanency Review Project Director, 2016. Third and Fourth Quarterly Reports on 13<sup>th</sup> month Permanency Reviews.

**13<sup>th</sup> Month Permanency Review: Engagement in Case Planning****July 1 through December 31, 2016****N=varies**

	Number	Percent
Active involvement in the case planning process		
Child (n=188)	184	98%
Mother (n=192)	186	97%
Father (n=100)	72	72%
Caretaker (n=282)	282	100%

Source: Division of Family and Children's Services, State Permanency Review Project Director, 2016. Third and Fourth Quarterly Reports on 13<sup>th</sup> month Permanency Reviews.

**25<sup>th</sup> Month Permanency Review Implementation****July 1 through December 31, 2016****N=185**

	Number	Percent
Total Cases Staffed	179	97%
Reviewer Concurrence with County Plan	72	40%
Permanency Goal		
Reunification	117	65%
Permanent Placement with Relative	0	0%
Adoption	51	28%
Guardianship	8	5%
Another Planned Permanent Living Arrangement	3	2%
Totals	179	100%
Cases with current case plans (Court sanctioned/approved)	155	87%

Source: Division of Family and Children's Services, State Permanency Review Project Director, 2016. Third and Fourth Quarterly Reports on 25<sup>th</sup> month Permanency Reviews.

**25<sup>th</sup> Month Permanency Review: Engagement in Case Planning**  
**July 1 through December 31, 2016**

**N=varies**

	<b>Number</b>	<b>Percent</b>
Active involvement in the case planning process		
Child (n=113)	111	98%
Mother (n=107)	102	95%
Father (n=65)	55	85%
Caretaker (n=179)	179	100%

Source: Division of Family and Children's Services, State Permanency Review Project Director, 2016. Third and Fourth Quarterly Reports on 25<sup>th</sup> month Permanency Reviews.

***Post Adoption Assistance***

The State reported that 47 children were adopted between July 1 and December 31, 2016. This is a slight increase from the number of children adopted in Period 21 (43).

During Period 22, according to data obtained from the State Office of Adoptions, 45 (**96%**) of those children adopted were receiving or were scheduled to receive monthly Adoption Assistance benefits and Medicaid. This proportion is less than the proportion in Period 21 (**100%**). All families receiving monthly adoption assistance are also eligible to receive additional benefits to cover one-time, non-recurring expenses. They may apply for reimbursement of non-recurring expenses of up to \$1500 once the adoption is finalized. Timely reimbursement is somewhat dependent on how quickly families can obtain the signed adoption decree and submit the application to DFCS. Once submitted, all appropriate data must be entered into SHINES to move the case into a post-adoption category. Sometimes, this occurs after the review period. Among the 47 families eligible for non-recurring adoption assistance, **96 percent** had received these benefits by December 31, 2016. This is a significant increase from the proportion of families receiving reimbursement by the end of Period 21 (84%).

***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 15<sup>th</sup> 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.<sup>36</sup>

Under federal regulations and state law, there are three exceptions to the requirement that Termination of Parental Rights (TPR) petitions be filed after the 15<sup>th</sup> 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.<sup>37</sup>

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.<sup>38</sup>

The measurement of Outcome 15 is based on the entire population of children who, in Period 22, reached or exceeded their 15<sup>th</sup> month in custody out of the previous 22 months. As in previous periods, the Accountability Agent and the 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 22 review of 92 randomly selected foster care case records.

During Period 22, 954 children had reached or surpassed their 15<sup>th</sup> month in custody out of the previous 22 months. A group of 257 children (27% of 954), was excluded from the Outcome 15 performance measurement based on the placement of these children with relatives, as allowed under Federal law.

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<sup>36</sup> See p. 34, Outcome 15, of the Consent Decree.

<sup>37</sup> Adoption and Safe Families Act, see also Social Services Manual Chapter 1000, Section 1002.7, Georgia Department of Human Services.

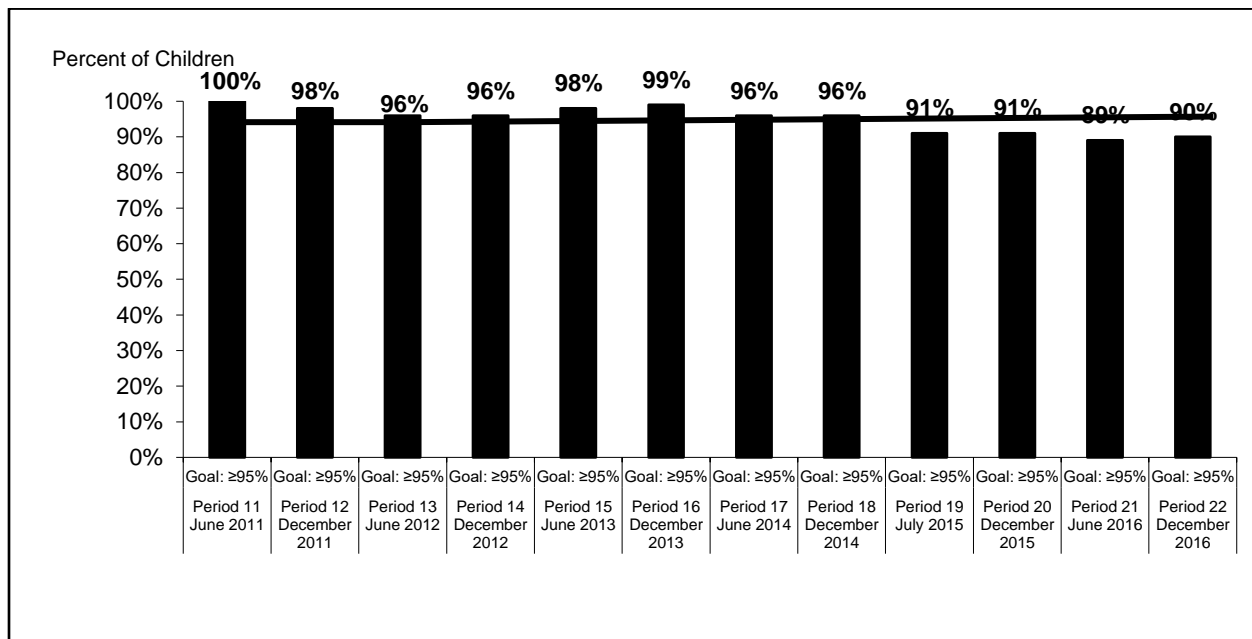
<sup>38</sup> See Social Services Manual, Section 1002.12.3, 1002.17, and 1013.11, Georgia Department of Human Services.

## State Performance

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

By December 31, 2016, **90 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 slightly higher than the Period 21 performance (89%). The following graph that displays the State's performance on Outcome 15 for the 12 most recent reporting periods. The chart that follows summarizes the different components of the counties' Period 22 performance, drawn from verified data in their tracking systems.

**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

**Status of Children Who Had Been in DFCS Custody 15 of the previous 22 months  
As of December 31, 2016**

Period 22 DeKalb and Fulton Counties OM 15 Summary			Total		
			Number	Percent	Cumulative
Children who reached or surpassed their 15th month in custody of the past 22 months between July 1 and December 31, 2016.			954		
Excepted Subpopulations					
<i>Children placed with relatives</i>			257		
<i>The State has not made reasonable efforts to reunify the family</i>					
<b>Number of Children for Outcome 15 Measurement</b>			697		
Parental Rights of Both Parents have been terminated or relinquished			213	30.6%	30.6%
DFCS has filed a petition to complete the termination of the parental rights of both parents where applicable.			88	12.6%	43.2%
There is a documented compelling reason for not terminating parental rights.			326	46.8%	90%
	<b>Reasons cited for not terminating parental rights</b>	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.	165			
A2	The child is a specified age (14) or older and objects to being adopted	98			
A3	The child has severe emotional or behavioral problems or a serious medical conditional and reunification remains an appropriate goal.	7			
A4	The child has a permanency goal other than adoption and is expected to achieve that goal within 12 months of establishing the goal.	53			
A5	Parents are deceased, or have voluntarily relinquished rights.	2			
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.	1			
A12	Other circumstances.	0			
There are plans to terminate parental rights, but a petition had not yet been filed as of December 31, 2016 or date of discharge.			70	10.0%	100%



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

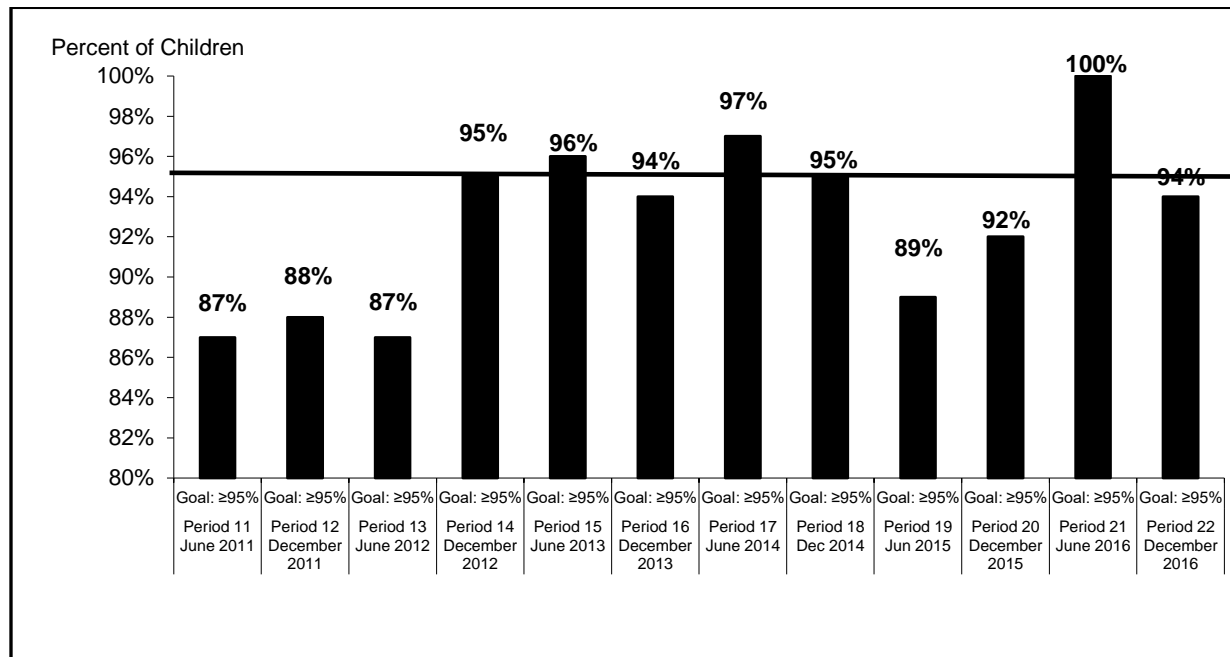
Outcome 27 requires that at least **95 percent** of the children have timely semi-annual reviews of their case plans. Children are expected to have case plans developed within 30 days of entering State custody. In accordance with the Consent Decree, the court or a designated panel must review these case plans within six months of entering foster care and every six months thereafter the child is in custody.<sup>39</sup>

**State Performance**

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

For 66 of the 92 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 61 children (**94%**) had documented timely plan reviews completed by the Juvenile Court or Judicial Citizen Review Panel (JCRP), or a timely request for such a review. This is a decrease from performance during Period 21 (100%).

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



Source: Review Period Foster Care Case Record Reviews, January 1, 2011– December 31, 2016.

<sup>39</sup> See p. 7, paragraphs 4A.4 and pp. 7-8, paragraphs 4B.1-6, and p. 37, Outcome 27, of the Consent Decree.

Among the 60 six-month reviews, only 21 (35%) mothers, 6 (10%) fathers, 9 (15%) children and 6 (10%) relatives participated. Participation in these reviews is such an important factor in achieving timely permanency. The lack of participation during the reviews in Period 22 may reflect a lack of engagement between the agency and families. This may also directly correlate with data that indicate an increase in the duration of foster care episodes. More information regarding these reviews is displayed in the chart below.

**Characteristics of Six-month Case Reviews**  
**N= 60**  
**(Most recent plans reviewed between July and December 2016)**

Characteristic				Number	Percent
Participants					
	Birth Mother			21	35%
	Birth Father			6	10%
	Child			9	15%
	Relative caregivers/ Extended Family Members/ Informal Supports			6	10%
	Foster parents/placement providers			13	22%
	DFCS case manager			38	63%
	DFCS supervisor			9	15%
	Other DFCS representative			3	5%
	CCFA provider			0	0%
	Private agency social worker			7	12%
	Medical and mental health professionals			0	0%
	Parents’ attorney(s)			12	20%
	SAAG (Special Assistant Attorney General)			14	23%
	Child’s advocates (attorney, Guardian Ad Litem, CASA volunteer, Child Advocate) – at least one per child			31	52%
Elements Evaluated/Considered					
	Necessity and appropriateness of child’s placement			34	57%
	Reasonable efforts made to obtain permanency			36	60%
	Degree of compliance with specific goals and action steps			33	56%
	Progress made in improving conditions that caused removal			28	47%
	Changes that need to be made to plan			5	8%
	County recommendations			15	25%
	Parent recommendations			1	2%
JCRP conducted review (percentage based on n=60)				33	49%
	Total JCRP reports submitted (percentage based on n=33)			26	79%
		Number of reports with Panel findings (percentage based on n=33)		26	79%
		Number of reports with Panel recommendations (percentage based on n=33)		25	76%
		Number of reports with County findings (percentage based on n=33)		20	61%
		Number of reports with County recommendations		19	58%

	(percentage based on n=33)				
<b>Court conducted review</b> (percentage based on n=60)				27	45%
<b>Plan adopted by Juvenile Court</b> (percentage based on n=60)				33	56%

Source: Case Record Review for July 1 – December 31, 2016.

### ***Outcome 28 – Timely Annual Judicial Permanency Reviews.***

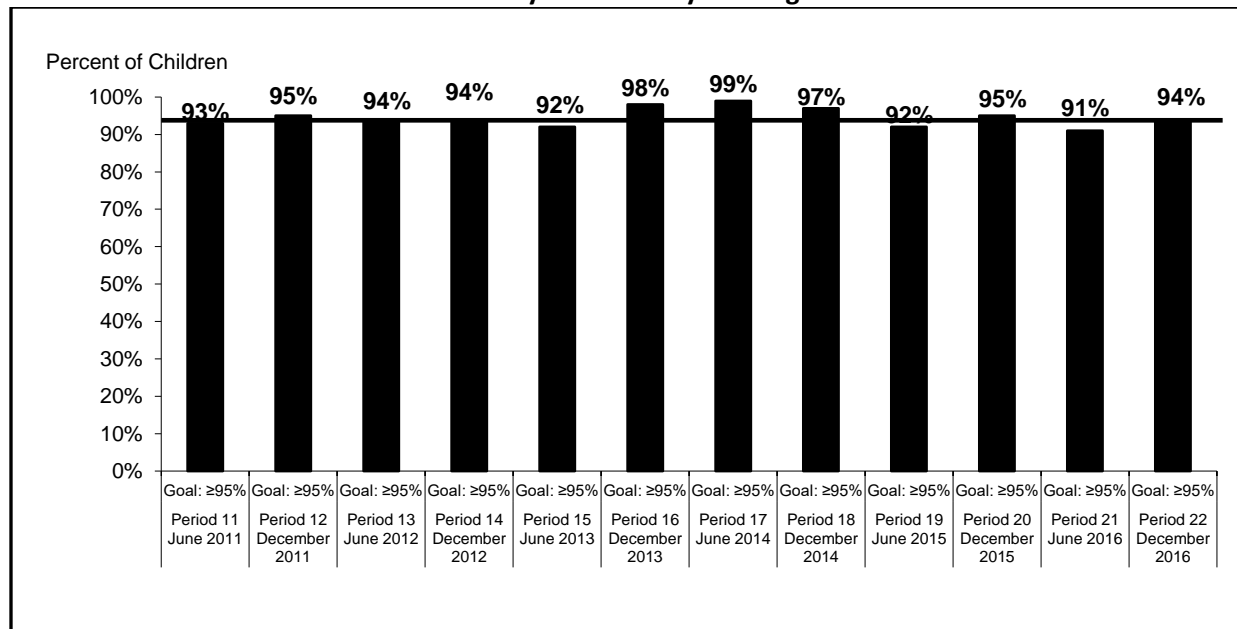
According to Federal and State policy and the Consent Decree, children are expected to have a judicial permanency hearing at least every 12 months they are in custody.<sup>40</sup> These hearings are held to determine whether the State is making reasonable efforts to help children achieve permanency. The performance threshold for Outcome 28 is 95 percent.

#### **State Performance**

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

During Period 22, 45 out of 48 children, **94 percent** 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, January 2011 – December 2016.

<sup>40</sup> See p. 9, paragraph 4B.10, and p.37, Outcome 28, of the Consent Decree.

## **PART SIX - WELL-BEING**

The Consent Decree establishes six outcomes that are related to children's well-being.

### **Children Experience Stability and Worker Continuity**

#### ***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.<sup>41</sup> For purposes of this measure, the following are not considered to be placements: runaway episodes, hospitalizations for medical treatment or psychiatric diagnosis or crisis intervention, trial home visits, respite care, and detention in locked facilities. The measurement of Outcome 17 performance is based on the sample of 92 children in foster care at any time between July 1 and December 31, 2016.

#### **State Performance**

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

During Period 22, 81 out of 92 children (**88%**) experienced two or fewer placement moves during the most recent 12 months in custody. For the purposes of this measure, each unique hotel episode (which could include one or more consecutive nights) that a child experienced during the Period is considered one placement. Displayed in the chart below are additional data for Period 22. Of the three youth who had more than six placements, two youth had 7 moves and one youth had 8 moves.

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<sup>41</sup> See p. 35, Outcome 17 of the Consent Decree.

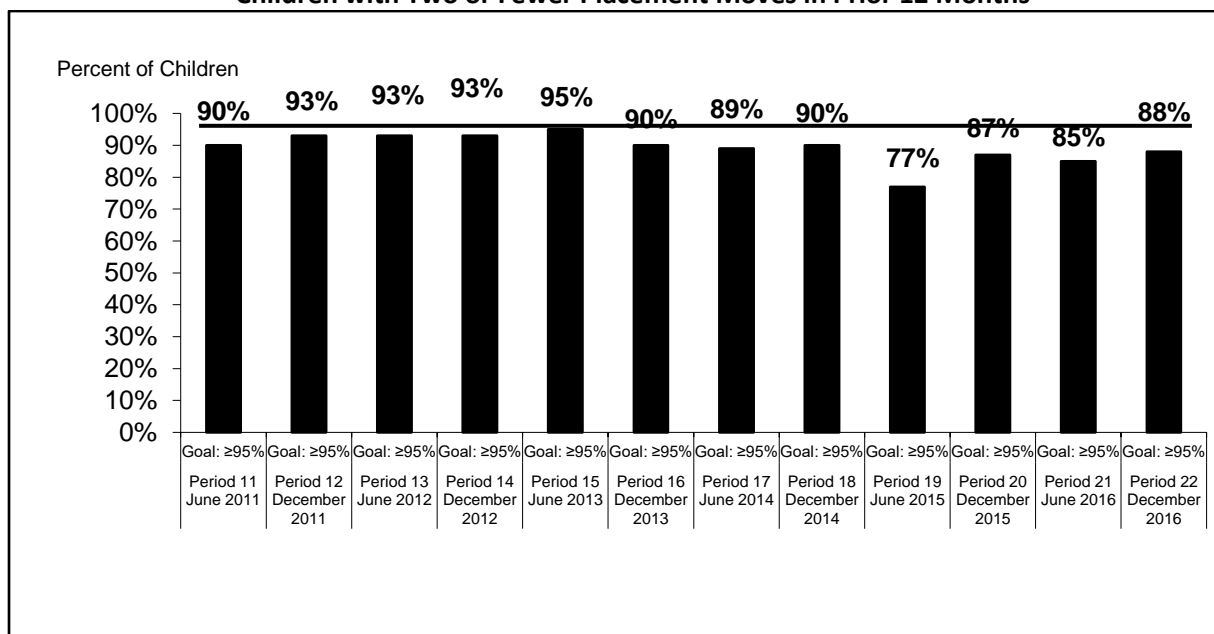
**Number of Placement Moves Experienced by Children in the 12 months prior to  
May 31, 2016 or the Last Date of Custody**

Number of Moves	Number	Percent	Cumulative Percent
No Moves	47	51%	
One Move	27	29%	80%
Two Moves	7	8%	<b>88%</b>
Subtotal	81		
Three Moves	3	3.5%	91.5%
Four Moves	4	4%	95.5%
Five Moves	1	1%	96.5%
Six Moves or more	3	3.5%	100%
Total	<b>92</b>		

Source: Foster Care Case Record Review for July 1 and December 31, 2016.

As the graph below depicts, the Period 22 performance (88%) is slightly higher than Period 21 performance (85%).

**Twelve Reporting Periods of State Performance on Outcome 17  
Children with Two or Fewer Placement Moves in Prior 12 Months**



Source: Review Period Foster Care Case Record Reviews, July1-December 31, 2016

***Outcome 18 – Worker Continuity***

At least **90 percent** of all children in care at a point in time during the reporting period shall have had two 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.

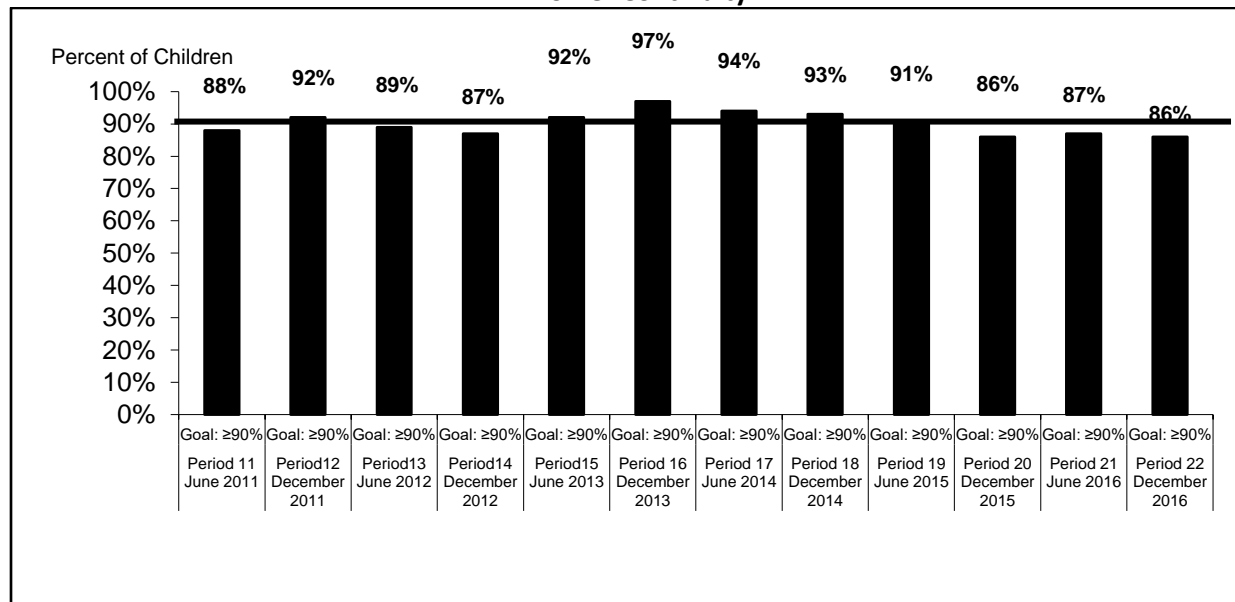
### State Performance

- ***The State Failed to Meet the Outcome 18 Threshold.***

During Period 22, the State's performance decreased slightly to **86 percent**, which remains below the required threshold. This is the third consecutive period that the State did not meet the 90 percent threshold requirement. The individual performance for DeKalb and Fulton were 85 percent and 88 percent respectively. The following graph depicts the State's performance over the past twelve reporting periods.

As discussed in the introduction, the turnover rates among case managers and supervisors has a direct impact on worker continuity. The robust workforce work group and the permanency work group are exploring systemic, workload, cultural, and environmental challenges to decrease the vacancy rate and retain new and veteran staff.

**Twelve Reporting Periods of State Performance on Outcome 18  
Worker Continuity**



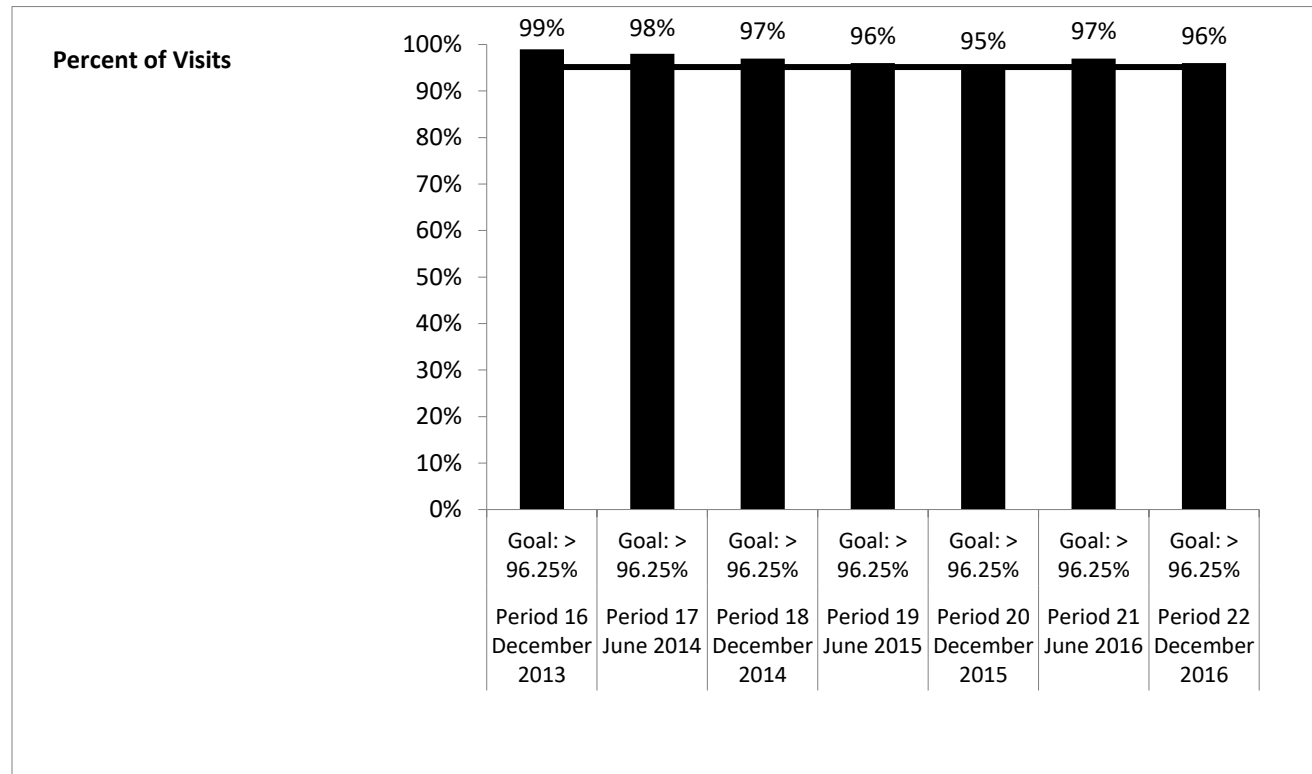
Source: Verified State Data

**Outcome 20 – Case Manager Visits with Children**

**20a** - At least **96.25 percent** of the total minimum number of twice- monthly face-to-face visits between case managers and all class member children during the Period occur.

The counties achieved **96 percent** of these visits during Period 22, which is just below the threshold. DeKalb County completed 94.7 percent of these visits and Fulton County completed 97.7 percent of these visits.

**Seven Reporting Periods of State Performance on Outcome 20a  
Case Manager Visits with Children**

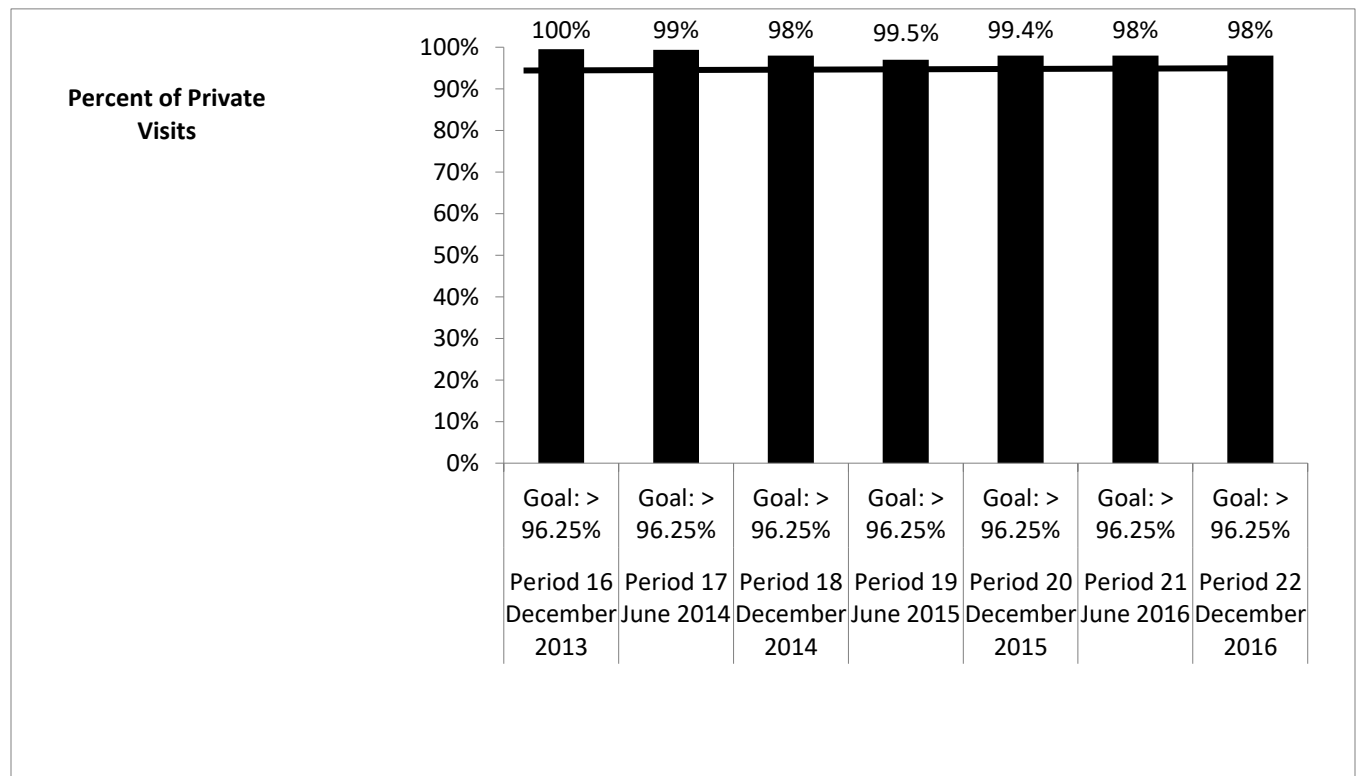


Source: Verified State Data

**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.

The counties achieved **98 percent** during Period 22 and has consistently exceeded this standard. During Period 22, DeKalb County completed 96.95 percent of these visits and Fulton County completed 98.7 percent.

**Seven Reporting Periods of State Performance on Outcome 20b  
Case Manager Private Face-to-Face Visits with Children**



Source: Verified State Data

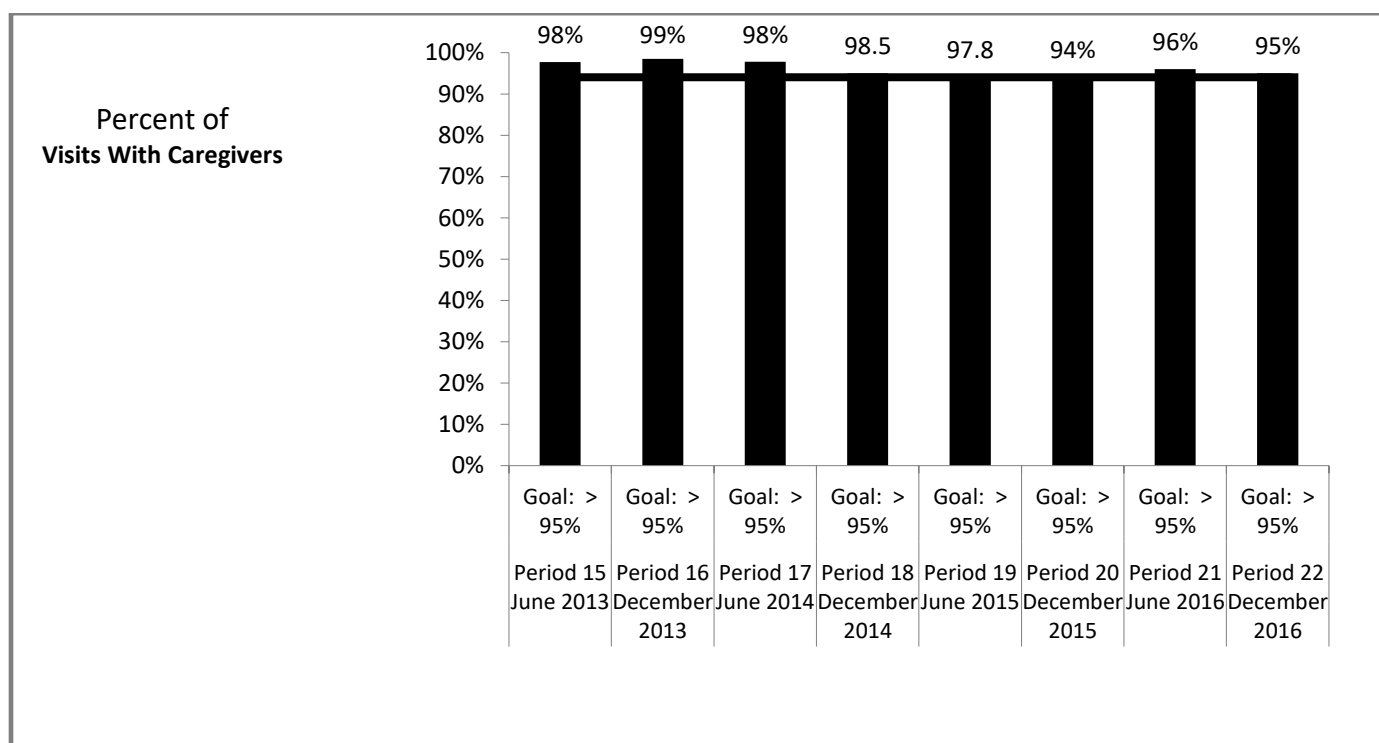


**Outcome 22 – Case Manager Visitation with Substitute Caregivers**

At least **95 percent** of the total minimum required monthly visits by case managers to caregivers during the reporting period occur.

The counties' performance was **95 percent** during Period 22, which meets the required threshold. During Period 22, DeKalb County completed 93.5 percent of these visits and Fulton County completed 96.7 percent of these visits. Below is a graph depicting the State's performance over the past seven reporting periods.

**Seven Reporting Periods of State Performance on Outcome 22  
Case Manager Visitation with Substitute Caregivers**



Source: Verified State Data

**Children and Youth in Hotels**

During Period 22, there were 32 unique children and youth from DeKalb and Fulton counties who spent 186 days in hotels in Metropolitan Atlanta. This is a drastic reduction from Period 21 where

there were 4 times as many unique youth (128) spending over seven times as many days (1324 days). On average, these children and youth spent between four and five days in hotels during the Period. This was a little higher than Period 21 where youth stayed on average 3 to 4 days. Finally, among the 32-youth experiencing hotel stays, there were five that had more than one during the Period, and one youth experienced six distinct stays for a total of 68 days. The Placement Stability workgroup is conducting a full analysis on hoteling to determine which interventions were successful in making such a substantial decrease in the use of hotels. The State has agreed to cease all hoteling by June 30, 2017.

### ***Young Children in Congregate Care***

The Consent Decree has several restrictions related to the use of group care,<sup>42</sup> including limiting their use of congregate care for young children. The reported information is for all children under the age of 12 in care between July and December 2016; not for a sample of the entire foster care population. According to state reports, no children under the age of 12 were placed in group homes or child caring institutions except as allowed by the Consent Decree.

During Period 22, three children under the age of six were placed with their mothers in group care settings designed for teen mothers. On December 31, 2016, one child, one year of age, was placed in a hotel for one night; five children under age 12 spent the night in the DFCS office, and 20 children were in group care facilities with more than 12 beds. Sixteen of these children were in psychiatric residential treatment facilities (PRTFs) with licensed maximum capacities of 40 or more. The State provided documentation of the appropriate waivers supporting the need for the children to be placed in congregate care settings.

The need for appropriate placements for all children who enter foster care or have a placement disruption is paramount. The State is developing a plan of action to address this placement crisis. During Period 23, weekly data provided by the counties to MTAT indicate a significant decrease in the use of hotels for all children. In addition, the state is providing weekly logs regarding time spent in the DFCS office after normal working hours.

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<sup>42</sup> See p. 16-17, paragraph 5C.5f of the Consent Decree.

## Children Receive the Medical, Dental and Mental Health Services They Need

### *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.<sup>43</sup> 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. This measure has been changed in the 2016 Modified Consent Decree and Exit Plan. Beginning in the Period 23 report, each category of need will be measured separately. During Period 22, the measurement of Outcome 30 performance is based on the sample of 92 children in foster care at any time between July 1, 2016 and December 31, 2016.

Among the 92 children in the sample, 82 children had one or more case plans in their records. Five of the 10 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 87 children who should have had case plans, 82 (94% of 87) were current – they had been developed within seven months of November 30, 2016 or the child's discharge date. The outcome performance is based on 82 children who had complete plans, even if they were not up-to-date. Eighty of these case plans identified needs of the children.

### **State Performance**

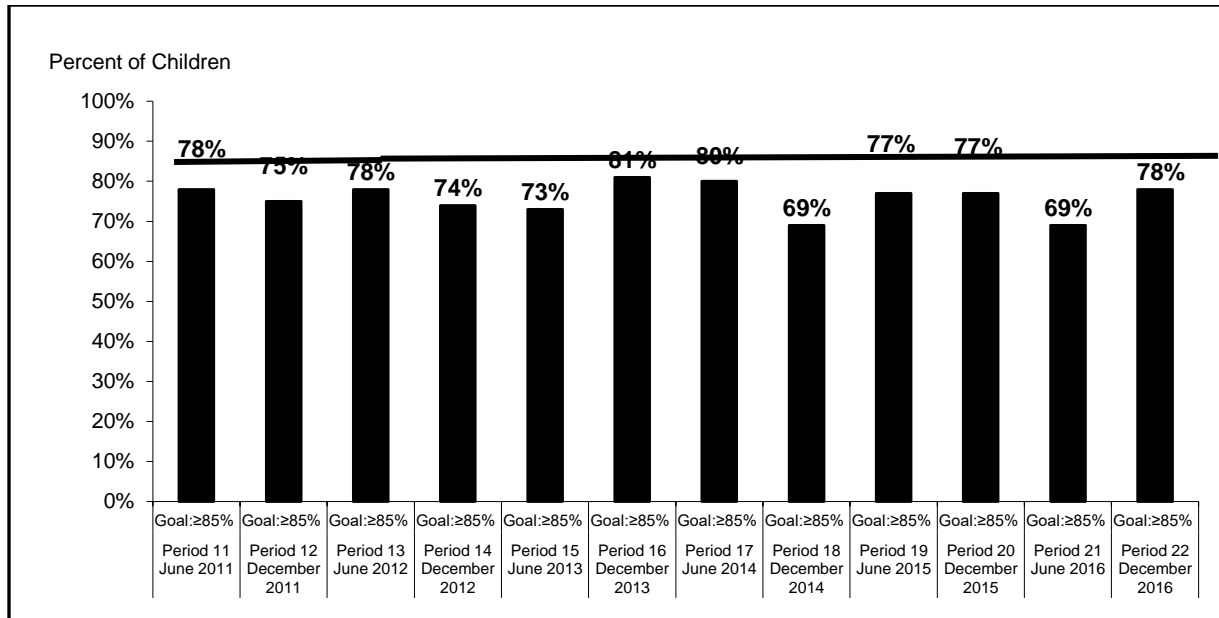
- ***The State Improved but Fell Short of the Outcome 30 Threshold***

Based on case file documentation and reviewer judgment, **62 children (78%)** of 80 children with needs identified in their case plans had all the plan-identified needs met. The following graph displays the State's performance over the last 12 reporting periods.

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<sup>43</sup> See p 38, Outcome 30 of the Consent Decree.

**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 2011 – December 2016.

The chart below provides a breakdown of the needs identified and the percentage of needs met in each category during Period 22.

**Proportion of Children with Needs Identified in Most Recent Case Plans and the Proportion with Needs Met, as of December 31, 2016 or last Date of Custody**

Children with Case Plans n=82			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)	80	98%	<b>All Identified Needs Met (n=80)</b>	<b>62</b>	<b>78%</b>
Frequency of different identified needs			Frequency of different needs being met		
Medical	80	98%		76	95%
Dental	79	96%		72	91%
Mental Health	63	77%		54	86%
Educational/ Developmental	80	98%		76	95%

Source: Case Record Review July 1-December 31, 2016.

## 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 22, 25 children out of the sample of 92 cases entered care during the Period and remained at least 10 days.<sup>44</sup> 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, nine children (36%) had documented health screens within 10 days of entering care, which is similar to the low performance in Period 21 (41%). When the ten-day period is relaxed, 23 out of 25 children (92%) received an initial health screen. For those children, whose health screens fell outside the 10-day window, the elapsed time ranged from 12 to 61 days. Two children did not receive an initial health screen.

Only 3 children (12%) had a documented dental screen within 10 days. This is a substantial decline from the performance in Period 21 (50%). The total proportion receiving an entry dental screening was 80 percent. The 17 children who received their initial dental screens late, received those 12 to 28 days after entering care. Five children have no documented initial dental screens in their files.

**Initial Health and Dental Exams at Foster Care Entry:  
July 1 – December 31, 2016**

**N=25**

<b>Screen</b>	<b>Number</b>	<b>Percent</b>	<b>Cumulative Percent</b>
<b>Initial Health Screen at Foster Care Entry</b>			
Received within 10 days	9	36%	
Received, but not within 10 days (12 to 61 days)	14	56%	92%
No initial health screen received by December 31, 2016	2	8%	100%
<b>Total</b>	25	100%	
<b>Initial Dental Screen at Foster Care Entry</b> (includes infants for a "gum check")			
Received within 10 days	3	12%	
Received, but not within 10 days (12-28 days)	17	68%	80%
No initial dental screen received by December 31, 2016	5	20%	100%
<b>Total</b>	25	100%	

Source: Case record review, July 1 – December 31, 2016.

Due to the low performance on timely initial health and dental screens during Period 19, the counties collaborated with Amerigroup to offer a mobile health clinic in the parking lot of the Fulton and DeKalb County Offices of the Department of Family and Children Services once a week. During Period 21, this service was discontinued in Fulton and reduced to 2 times a month in DeKalb. May 2017 is scheduled to be the final month of service.

***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.<sup>45</sup> Children four years of age or older are expected to receive a mental health screening in compliance with EPSDT standards within 30 days of placement.<sup>46</sup> Within the sample of 92 children in foster care in Period 21, 5 children were younger than age four, were in custody at least 30 days, and entered care on or after June 1, 2016.<sup>47</sup> Twenty-two 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 June 1, 2016.

<sup>45</sup> See p. 20, paragraph 6A.3 of the Consent Decree.

<sup>46</sup> See p. 20, paragraph 6A.3 of the Consent Decree.

<sup>47</sup> 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 June 2016 and, therefore, had sufficient time for identified needs to be addressed in Period 22.

All 5 children under the age of four received a developmental assessment with only one being completed more than 30 days (41 days). The total percentage of children under four years of age who received their initial developmental assessment remained at 100 percent for the second consecutive review period.

For children over the age of four, there was one child in custody 30 days or more who did not have a mental health assessment; 13 were completed within 30 days (59%), which is slightly less than the 62 percent completed within 30 days during Period 21. Eight children had the assessment completed between 34 to 103 days after entering care. The following chart summarizes this information.

**Initial Developmental and Mental Health Assessments at Foster Care Entry:**  
**June 1, 2016 – November 30, 2016**  
**N=varies depending on the assessment**

<b>Assessment</b>	<b>Number</b>	<b>Percent</b>	<b>Cumulative Percent</b>
<b>Initial Developmental Assessment</b> (children younger than age 4) (n=5)			
Received within 30 days	4	80%	
Received, but not within 30 days (41 days)	1	20%	100%
No initial Developmental Assessment received	0	0%	100%
Total	5	100%	<b>100%</b>
<b>Assessment</b>	<b>Number</b>	<b>Percent</b>	<b>Cumulative Percent</b>
<b>Initial Mental Health Assessment</b> (children aged 4 and older) (n=22)			
Received within 30 days (includes pre-assessments)	13	59%	
Received, but not within 30 days (34 to 103 days)	8	36%	95%
No Initial Mental Health Assessment	1	5%	100%
Total	22	100%	<b>100%</b>

Source: Foster Care Case Record Review, July 1 – December 31, 2016.

**c. Initial Case Plans**

Of the 21 children entering custody during the reporting period and remaining more than 30 days 16 had an initial case plan developed by December 31, 2016 or their last date in custody. Nine of the 16 (56%) were completed within 30 days of entering care; the other seven were completed between 31 and 46 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 screenings<sup>48</sup> in accordance with the Early and Periodic Screening, Diagnosis and Treatment Program (EPSDT)/Georgia Health Check Program standards.<sup>49</sup> DFCS' performance with respect to meeting these standards is discussed below. The case record review of 92 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, 89 of the 92 children (97%) appeared to be current with their "well-child" visits as December 31, 2016 because of receiving a required health screen prior to or during reporting Period 21; or receiving a health screen during Period 22 that brought them up-to-date. This is similar to the proportion found in Period 21 (97%). The chart below displays this information.

**Status of Health Screening for Children<sup>50</sup>**  
**July 1 – December 31, 2016**  
**N=92**

Component and Action	Number	Percent	Cumulative Percent
No health screen required during period, children current with health check-ups during entire period	25	27%	
Children receiving timely health screens (according to EPSDT schedule) between January 1 and June 30, 2016	64	70%	97%
Required well child health screen(s) not received between January 1 and June 30, 2016	3	3%	100%
<b>TOTAL</b>	92	100%	

Source: Foster Care Case Record Review, July 1 – December 31, 2016.

As reflected in chart below, routine dental screenings were assessed for 92 children, with separate analysis for children over and under the age of three as of December 31, 2016.<sup>51</sup> Overall, 69 of the 77 children (90%) who required a dental screen were either current or received their dental screens during Period 22. Twenty-One (27%) of these exams were not done timely. For

<sup>48</sup> See p. 30, paragraph 13A in the Consent Decree.

<sup>49</sup> See p. 20, paragraphs 6A 1 and 2, and p.21, 6B, paragraphs 1-8 of the Consent Decree.

<sup>50</sup> Includes initial health screens completed for children entering foster care in Period 20. EPSDT components are not always documented, see narrative.

<sup>51</sup> 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.



children under the age of three, 14 out of 15 (93%) were either current or received their oral health screen during Period 22. Two 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 Screening<sup>52</sup>**  
**July 1 – December 31, 2016**  
**N=92**

<b>Component and Action Children aged 3 and older n=77</b>	<b>Number</b>	<b>Percent</b>	<b>Cumulative Percent</b>
No annual dental exam required during period, children current with annual requirement during entire period	22	29%	
Children receiving a timely annual dental exam during period	26	34%	63%
Received more than 12 months after previous exam	6	8%	71%
Initial received more than 10 days after entering foster care	15	19%	90%
Required annual (or initial) dental exam not received as of December 31, 2016	8	10%	100%
<b>TOTAL</b>	77	100%	100%
<b>Component and Action Children under the age of 3 N=15</b>	<b>Number</b>	<b>Percent</b>	<b>Cumulative Percent</b>
No annual oral health screen due during entire period	3	20%	
Received a timely initial or annual oral health screen	9	60%	80%
Received a late initial oral health screen	2	13%	93%
No annual oral health screen	1	7%	100%
<b>TOTAL</b>	15	100%	100%

Source: Foster Care Case Record Review, July 1 – December 31, 2016.

<sup>52</sup> Includes initial dentals for children entering foster care in Period 21.

## PART SEVEN – 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.

### Oversight of Placement Settings

#### *Outcome 25 - Approved Placement Settings for Children*

Outcome 25 stipulates that, “By the end of the tenth reporting period, at least **98 percent** 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.”<sup>53</sup>

#### State Performance

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

At the end of Period 22, 752 of 860 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 3432 children while the capacity of all placements with a child in care on December 31, 2016 was 3607 children; yielding an Outcome 25 measurement of **95.1 percent**. State leadership has set a goal of placing 50 percent of children in fully approved relative homes. However, the State continues to struggle with getting relative placements fully approved. In Period 22, only 70.5 percent of relative placements were in full approval/licensure status on the last day of the Period, which was only a slight increase from Period 21. The Kinship work group is establishing baseline data and metrics to decrease the time to approve relative placements and determining indicators with which to track improved service delivery and engagement with these families. During Period 23, the workgroup held a “war room” to triage each of the unapproved

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<sup>53</sup> See p. 4, *Kenny A. v Perdue*, Stipulated Modification of Consent Decree, 1:02-CV-01686-MHS, effective November 22, 2010.

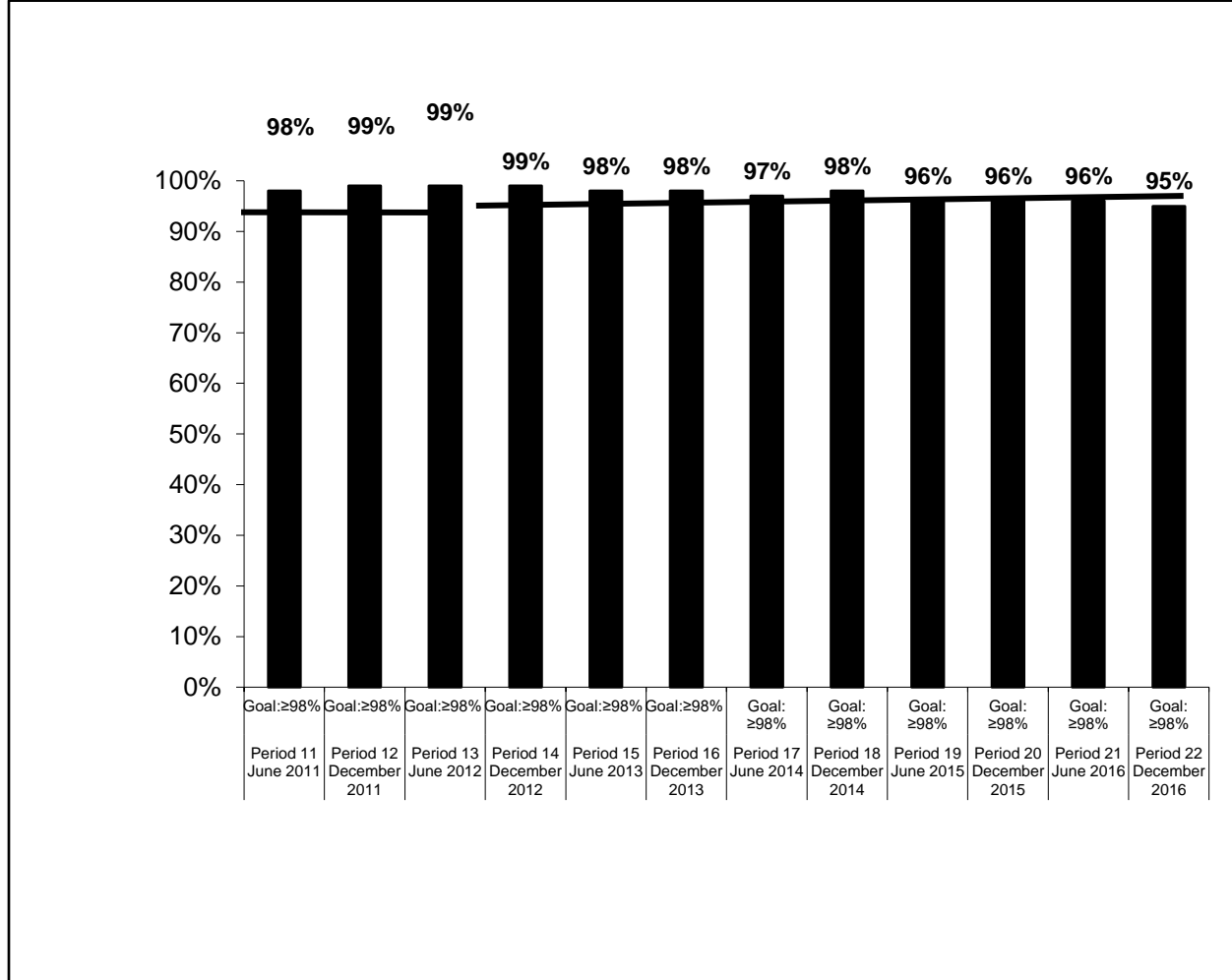
relative placements to determine a strategy to get the placements approved. This is an interim step, while the counties develop systems to approve relative placements more quickly. The Annie E. Casey Foundation has invested technical assistance resources to assist the State in developing a Kin First organization. Additional detail on the Outcome 25 measurement appears in the following chart, followed by a graph that displays the State's performance over the past 12 reporting period.

**Outcome 25 – Placements in Full Approval Status**

Placement Type	Number of Placements with a Class Member in Care on 12/31/2016	Number of Placements with a Class Member in Care on 12/31/2016 that were in Full Approval Status	Overall Capacity of Placement Settings with a Class Member in Care on 12/31/2016	Capacity of Placements with a Class Member in Care on 12/31/2016 that were in Full Approval Status	Capacity of Placements in Full Approval Status as a Percentage of Overall Placement Capacity
Relative Placement	275	183	434	306	70.5%
DFCS - supervised Foster Home	103	99	234	227	97.0%
Provider - supervised Foster Home	378	366	1022	982	96.1%
Child Caring Institution	104	104	1917	1917	100.0%
Total	860	752	3607	3432	95.1%
Placement Type					

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 9: Percent of Children in Placements in Full Approval Status/Periods 10-21: 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...”<sup>54,55</sup> The measurement is based on the entire universe of family

<sup>54</sup> See p. 4, *Kenny A. v Perdue*, Stipulated Modification of Consent Decree, 1:02-CV-01686-MHS, effective November 22, 2010.

<sup>55</sup> 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

foster homes that had a class member child in care on the last day of the reporting period.

### State Performance

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

Of the 987 family foster homes that had a child in care at any point between July 1 and December 31, 2016, 481 (49%) continued to have one or more children placed in them on December 31, 2016. Six of these 481 foster homes (**1.2%**) 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 21<sup>st</sup> consecutive period in which the State has surpassed the ten percent threshold.

#### Outcome 31 – Foster Homes Exceeding Capacity Limits

N = 482

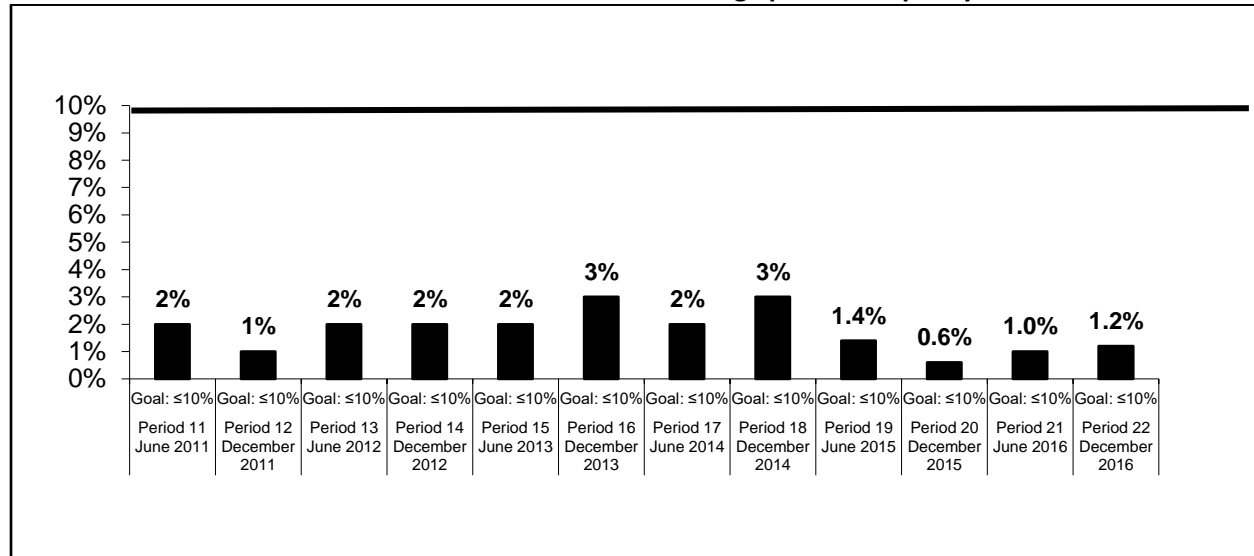
	Placement Type	Foster Homes with One or More Children in Care at Any Time During Period 22	Foster Homes with One or More Children in Care on 12/31/2016	Foster Homes with > 3 Foster Children on 12/31/2016	Foster Homes with ≥ 6 Children in Total on 12/31/2016	Number of Foster Homes with > 3 Foster Children and/or ≥ 6 Children in Total on 12/31/2016	Percent of Foster Homes with > 3 Foster Children and/or ≥ 6 Children in Total on 12/31/2016
DFCS & Relative FHs	DFCS - Supervised Foster Homes	187	103	2	0	2	1.9%
CPA Homes	Provider Supervised Foster Homes	800	378	4	0	4	1.1%
	Total	987	481	6	0	6	1.2%

Data Source: SHINES

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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.

**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 10-21: Percent of Placements in Full Approval Status

## Caseloads and Supervisory Ratios

The Consent Decree establishes caseload caps for five primary types of case managers responsible for direct interventions with children and families.

**Case Manager Types and Respective Caseload Caps**

Case Manager Function	Responsibility	Caseload Cap
Child Protective Services Investigators (CPS Investigations)	Respond to and investigate reports of child maltreatment. These individuals may also respond to reports of families in need who are considered candidates for Family Support services.	12 cases (the equivalent of 12 families)
Family Preservation (Child Protective Services On-Going) Case Managers	Provide services to and supervise the safety of children who are not taken into state custody and remain in their own homes.	17 cases (the equivalent of 17 families)
Permanency Case Managers <sup>56</sup>	Provide services to the children and families of children who are in the state's custody.	15 cases (the equivalent of 15 children)
Adoptions Case Managers	Provide services to children whose parents' parental rights have been terminated and who have the permanency goal of adoption.	16 cases (the equivalent of 16 children)
Specialized Case Managers	Provide services to the children and families of children who have been in state custody 18 months or more.	12 cases (the equivalent of 12 children)

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<sup>56</sup> The state has designated "placement" case managers as "permanency" case managers to emphasize their primary purpose is to promote permanency in the lives of children.

Case Manager Function	Caseload Cap: Number of cases (families and children)			Actual Performance				
		Number of Active Staff on 12/31/16	Number of Active, On-leave Staff on 6/30/16	Meeting Caps on Assigned Caseload		Not Meeting Cap on Assigned Caseload		Cases Assigned to Workers on Leave/ Supervisors
				Number	%	Number	%	Number
CPS Investigations	12 families	48	0	40	83%	8	17%	77
Family Preservation	17 families	18	0	18	100%	0	0%	7
Permanency Case Manager	15 children	66	0	25	38%	41	62%	4
Specialized Case Manager	12 children	36	0	6	17%	30	83%	0
Adoption Case Manager	16 children	*	0					
Total	0	168	0	89	53%	79	47%	88

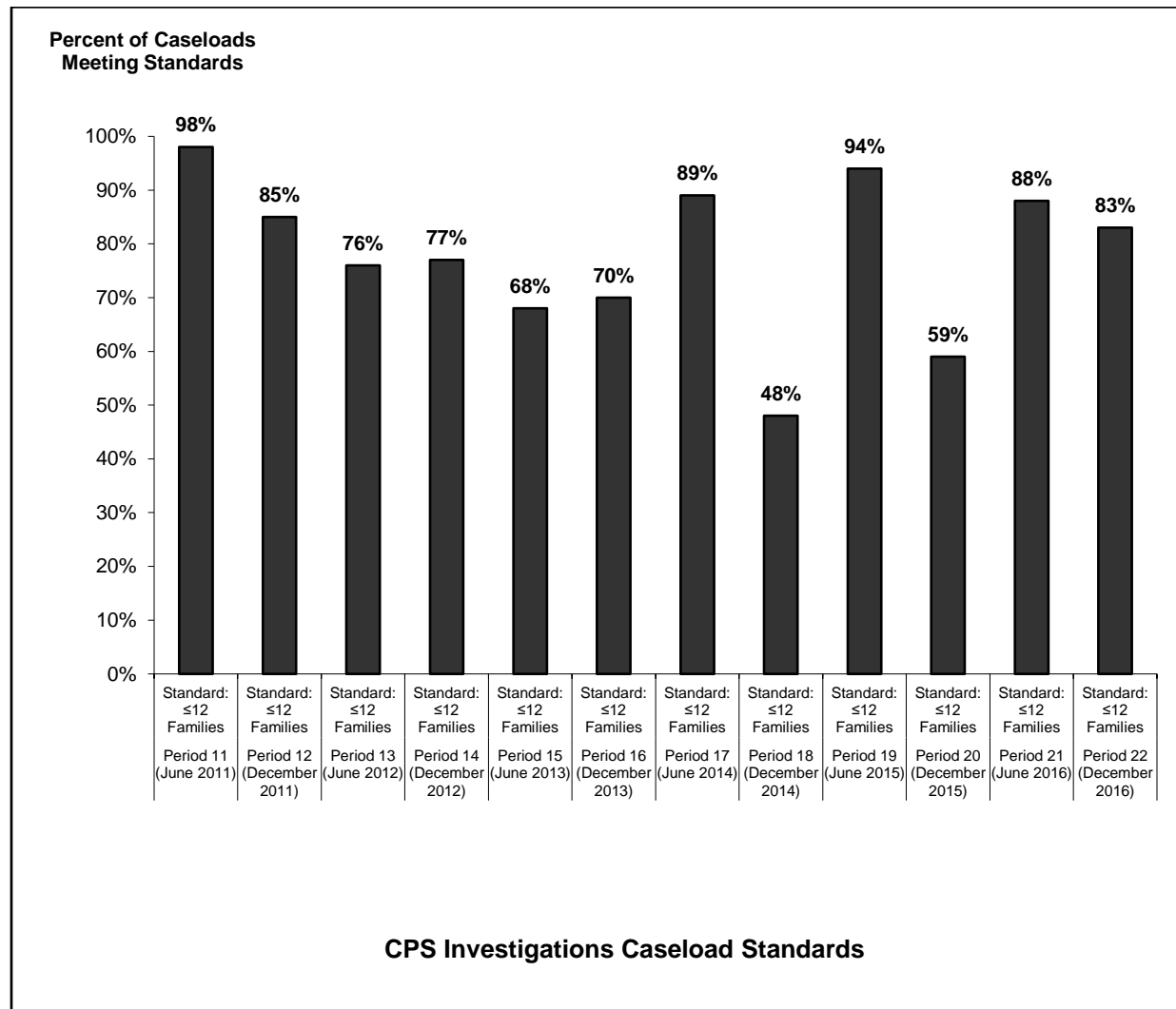
During Period 22 CPS caseloads continued in a volatile pattern; from 59 percent in Period 20 to 88 percent in Period 21 and 83 percent in Period 22. This pattern may indicate that the strategies currently being implemented are not sustainable. The Family Preservation caseloads seem to be in a more stable improvement pattern after experiencing all time low performance in Periods 18 and 19. However, Permanency caseloads are also struggling to meet the cap, with only 38 percent in Period 22. Compared to the end of Period 21, at the end of Period 22 the following staffing dynamics presented: the number of CPS case managers declined by 25 percent; the number of family preservation case managers declined by 38 percent; the number of permanency case managers increased by 5 percent; the number of case managers carrying specialized cases increased by 17 percent (which correlates with children staying in care for longer periods of time). This data does not reflect the vacancy rates in these two counties, which has also risen as a concern for leadership. This may indicate that the turnover and vacancy rates may be disproportionately affecting permanency case managers and specialized case managers. Conversely, 77 CPS investigation cases were assigned to supervisors, which is much higher than the other units.

Another factor that may be impacting the workforce dynamics involve DeKalb and Fulton counties' participation in a pilot extended training program for newly higher case managers. This added a minimum of six (6) additional weeks after new case managers complete a minimum of four (4) weeks of state training, before they could be assigned any cases. This included 53 new permanency case managers for DeKalb and Fulton counties. The Robust Workforce work group is analyzing data and conducting targeted interviews and climate surveys to understand the

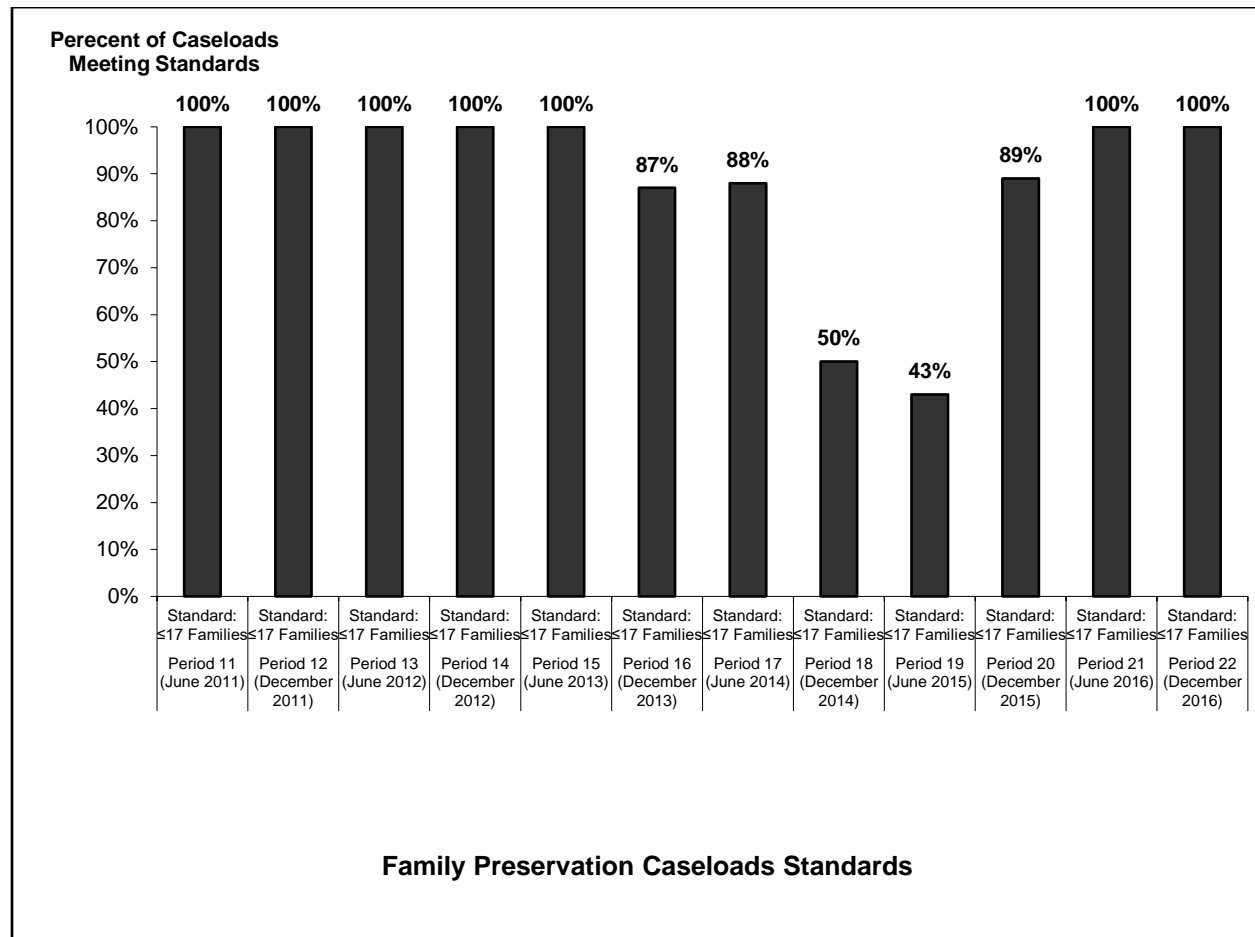


reasons for the high vacancy and turnover rates. They have developed goals and they are finalizing indicators and metrics to track progress toward meeting those goals.

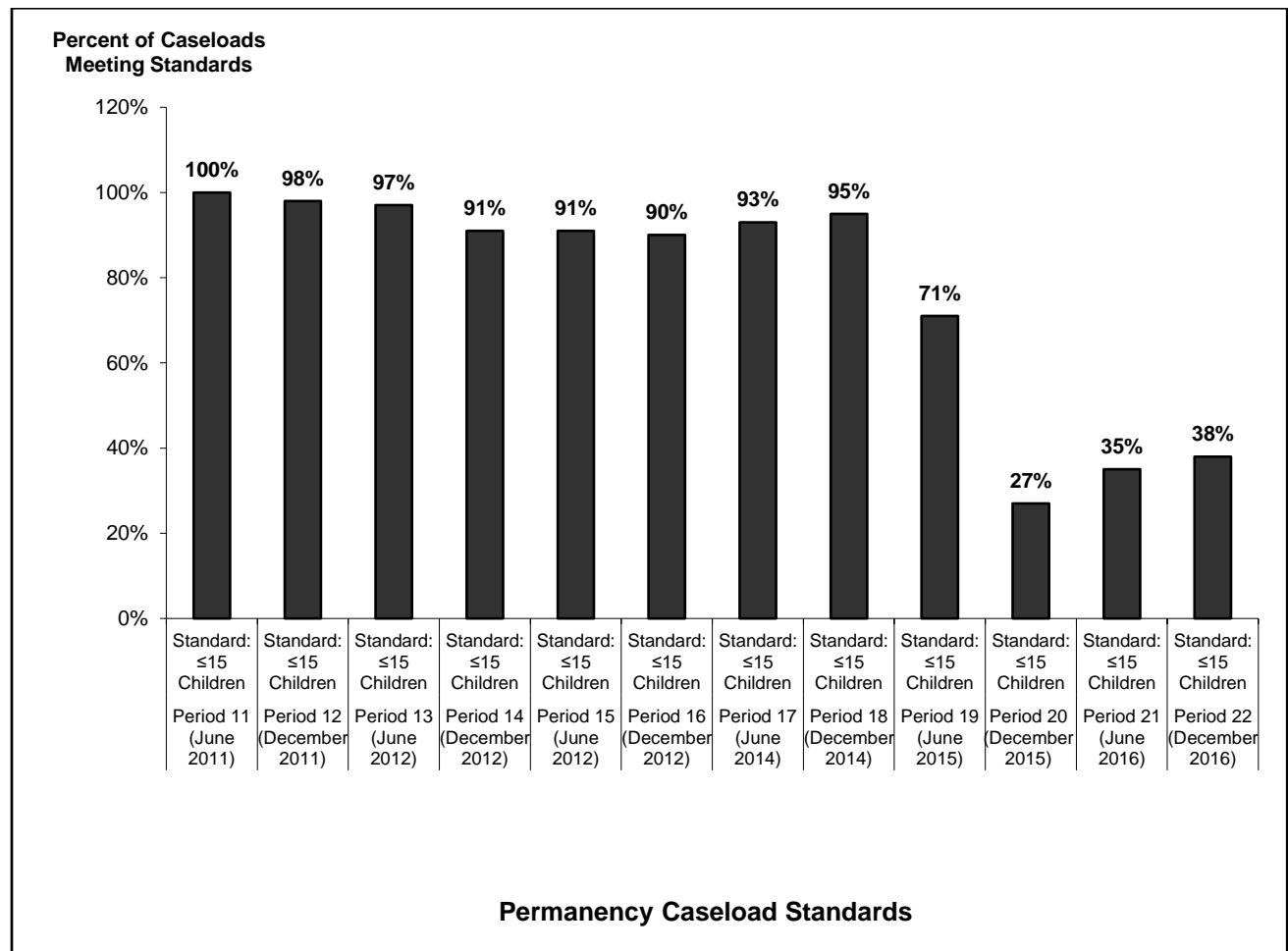
The following graph depicts the counties' performance on CPS Investigations caseloads over the past 12 reporting periods.



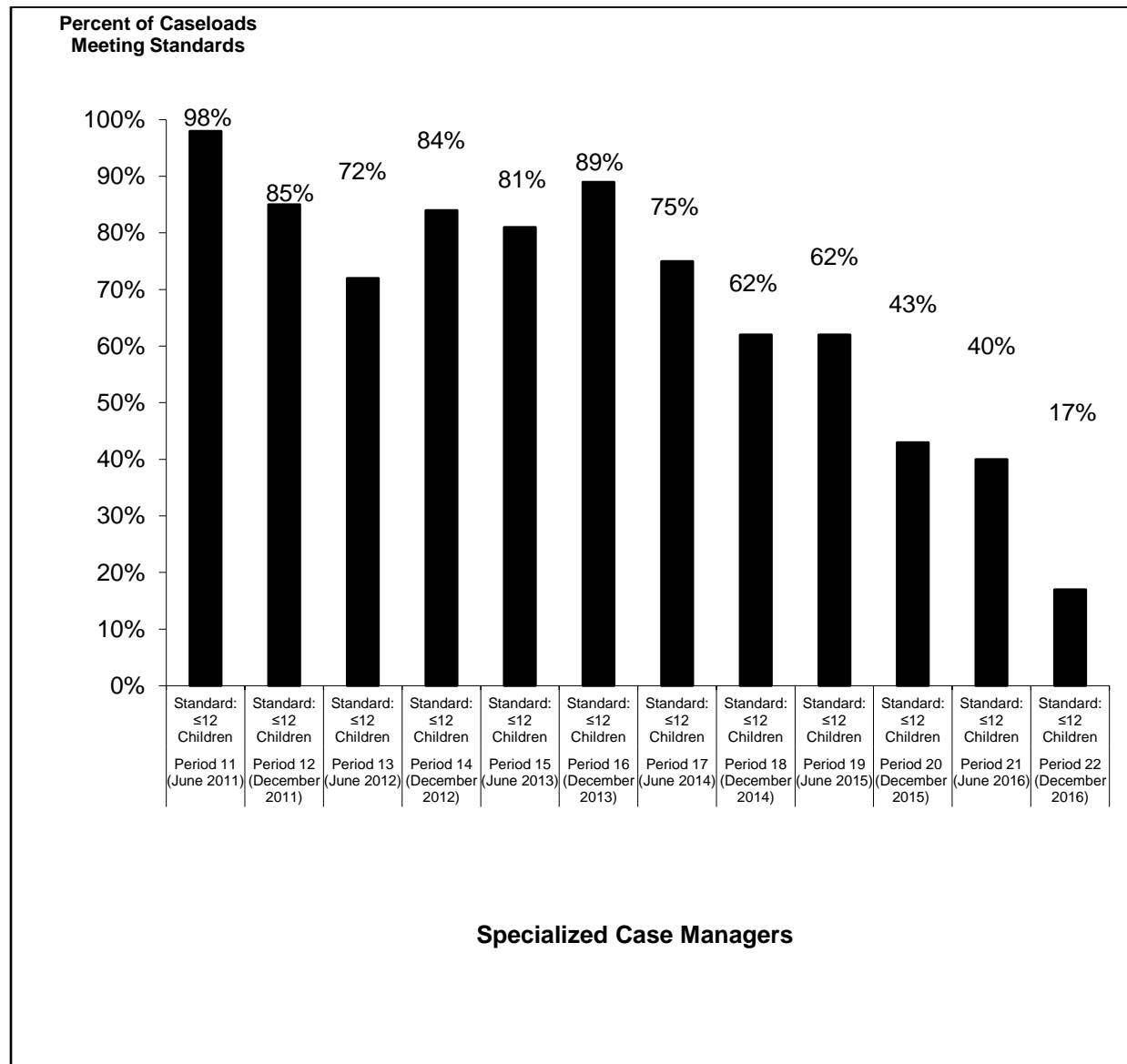
The Counties maintain performance of 100% of Family Preservation Caseloads meeting the required cap during Period 22.



During Period 22, the State's ability to maintain caps on permanency caseloads increased slightly from 35 percent in Period 21 to 38 percent. This is still significantly lower than the 95 percent performance during Period 18.



The State's performance for Specialized Caseloads meeting the required cap continued declining from 40 percent in P21 to 17 percent in P22. The phenomenon of children staying in care for longer durations of time increases the number of children in care over 18 months and therefore reflected as a "specialized caseload."



### **Supervisory Ratios**

In addition to caseload caps, the Consent Decree establishes supervisory ratios. Each supervisor should supervise no more than five case managers at any one time. The Counties performance on this metric continues declining. During Period 20, 90 percent of supervisors met the 1 to 5 ratios required under the Consent Decree. The Period 21 performance of 79 percent was a significant decrease. The Period 22 performance of 60 percent indicates a persistent challenge that is greatly effecting the workforce and its ability to engage families and provide high levels of service. The Robust Workforce work group is analyzing data and conducting targeted interviews and climate surveys to understand the reasons for this decline.

Program/Service Area	Number of Units	Meeting 1 to 5 ratio		Not Meeting 1 to 5 ratio	
		Number	%	Number	%
Child Protective Services (Investigations and Family Preservation)	19	14	74%	5	26%
Permanency Case Managers* (Regular and Specialized caseloads) (Includes Adoption)	21	10	48%	11	52%
Total	40	24	60%	16	40%

Source: Verified State Data

### **Preparation of the Workforce**

Through a well-defined selection process, DFCS identified Solution-Based Casework (SBC) to be the cornerstone for Georgia's approach to everyday child welfare practice with children and their families or case practice model. SBC is comprised of four milestones for case practice related to building consensus with the family, organizing and writing outcomes, building an action plan and then documenting and celebrating progress. These are outlined in an *SBC Certification Manual Georgia DHS Edition*.

With support and guidance from the State Office Education and Training Unit and identified practice coaches, initial implementation of Solution Based Casework began on July 11, 2016 in DeKalb and Fulton counties.

Implementation began with a training, *Solution Based Casework for Case Managers*. This was required training for all front-line staff, their supervisors and immediate managers, which focused on the basic concepts of Solution Based Casework and included practice opportunities related to assessment and case planning. In DeKalb County, 122 case managers and 14

supervisors had completed this training by the end of April 2017. A total of 91 case managers and 22 supervisors have completed this training in Fulton County during that same period.

The next step was for supervisors in DeKalb and Fulton counties to participate in a follow up training, *Solution Based Casework for Supervisors*, and certification process. The learning session was designed to help supervisors further develop their capacities to mentor and coach caseworkers to use the skills in their work with children and families. Once the training was completed, each supervisor was then required to demonstrate proficiency on an *SBC Qualifying Exam*. In DeKalb and Fulton counties, a total of 35 supervisors had demonstrated proficiency by the end of April 2017.

Supervisors were then asked to facilitate weekly Case Consultation meetings with their team with a specific focus on each of the SBC concepts over a two-month period. The intent was to build the capabilities of caseworkers to use the skills and prepare them to become certified in SBC. To become certified, caseworkers must work with a family through all four milestones of SBC and submit identified work products, such as a completed Genogram or Functional Family Assessment, for review and discussion. Based on a review of these products, Social Services Associates, LLC, the purveyors of Solution Based Casework are responsible for the final review and certification for each caseworker. No DeKalb County caseworkers or supervisors have been certified in SBC. One (1) Fulton County supervisor has been certified along with two (2) caseworkers. These limited numbers indicate the need to revisit readiness for SBC implementation in the region and the support that may be needed going forward.

Simultaneous to this initial implementation of Solution Based Casework in DeKalb and Fulton counties, the State has been identifying the other core components of Georgia's comprehensive case practice model and Infrastructure Standards. State leaders want to ensure that Georgia's model incorporates identified practices to keep children safe, ensure children are placed with relatives as often as possible and reduce trauma.

## Maximizing Federal Funding

### ***Outcome 26 – Required IV-E Language in Court Orders***

Outcome 26 relates to DFCS having the proper documentation in a child's file to support an appropriate claim for Federal reimbursement under the Title IV-E program. For children who entered care on or after October 27, 2005, judicial determinations that leaving children in their homes would be "...*contrary to the welfare...*" of the children must be made in the first order that authorizes the State agency's action to remove the child from home. In practice, this is often the court order from the 72-hour hearing. In addition, there must be documentation of a judicial determination made no later than 60 days from the date of the child's removal from the home that "*reasonable efforts*" were made to prevent the child's removal from his/her family. If either of these requirements are not met the State cannot claim federal Title IV-E reimbursement for the child's care the entire time the child is in custody even though the child's family meets the Title IV-E income test. All children in State custody after the Consent Decree's effective date should have a permanency hearing at least every 12 months with the appropriate language about the State's "*reasonable efforts*" to achieve permanency included in the subsequent court orders. If these determinations do not occur timely or the language is not child specific, there is a gap in the child's eligibility until the determination is appropriately made. The State cannot claim federal reimbursement for the period of the gap.

#### ***a. Interpretation and Measurement Issues***

Performance for this measure is based on a record review of a sample of 92 children in foster care.<sup>57</sup>

### **State Performance**

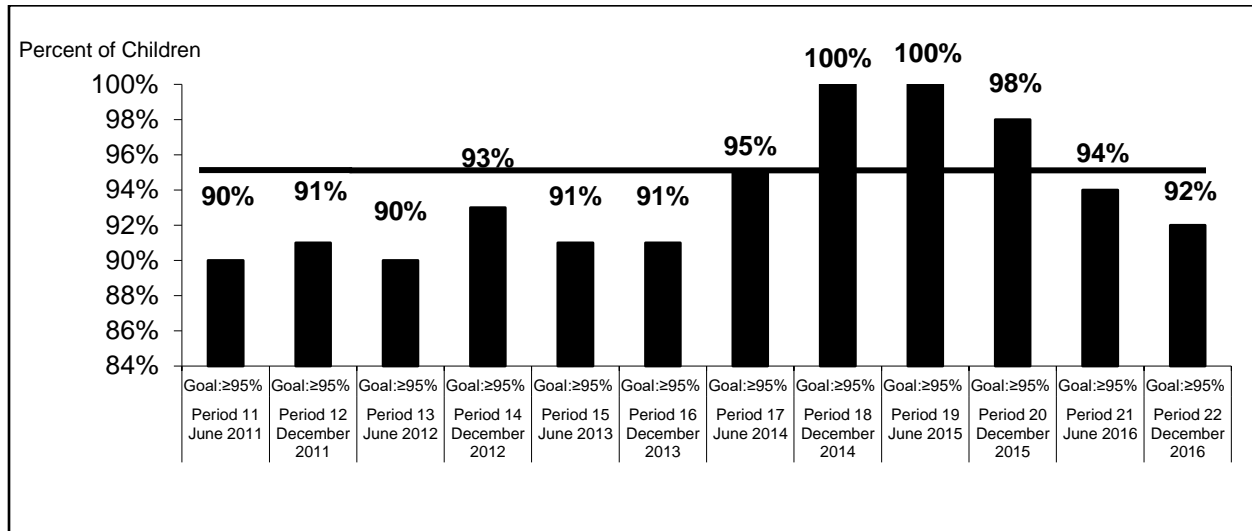
- ***The State did not meet the Outcome 26 Threshold.***

For Outcome 26, 84 out of 92 children in the Period 22 placement sample (**92%**) had court orders with all the required language necessary to assess current eligibility for federal funding under Title IV-E and there was documentation of a judicial determination made no later than 60 days from the date of the

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<sup>57</sup> See pp 36-37, Outcome 26 of the Consent Decree.

child's removal from the home that "*reasonable efforts*" were made to prevent the child's removal from his/her family. The graph below displays the State's performance on Outcome 26 over the last 12 reporting periods.



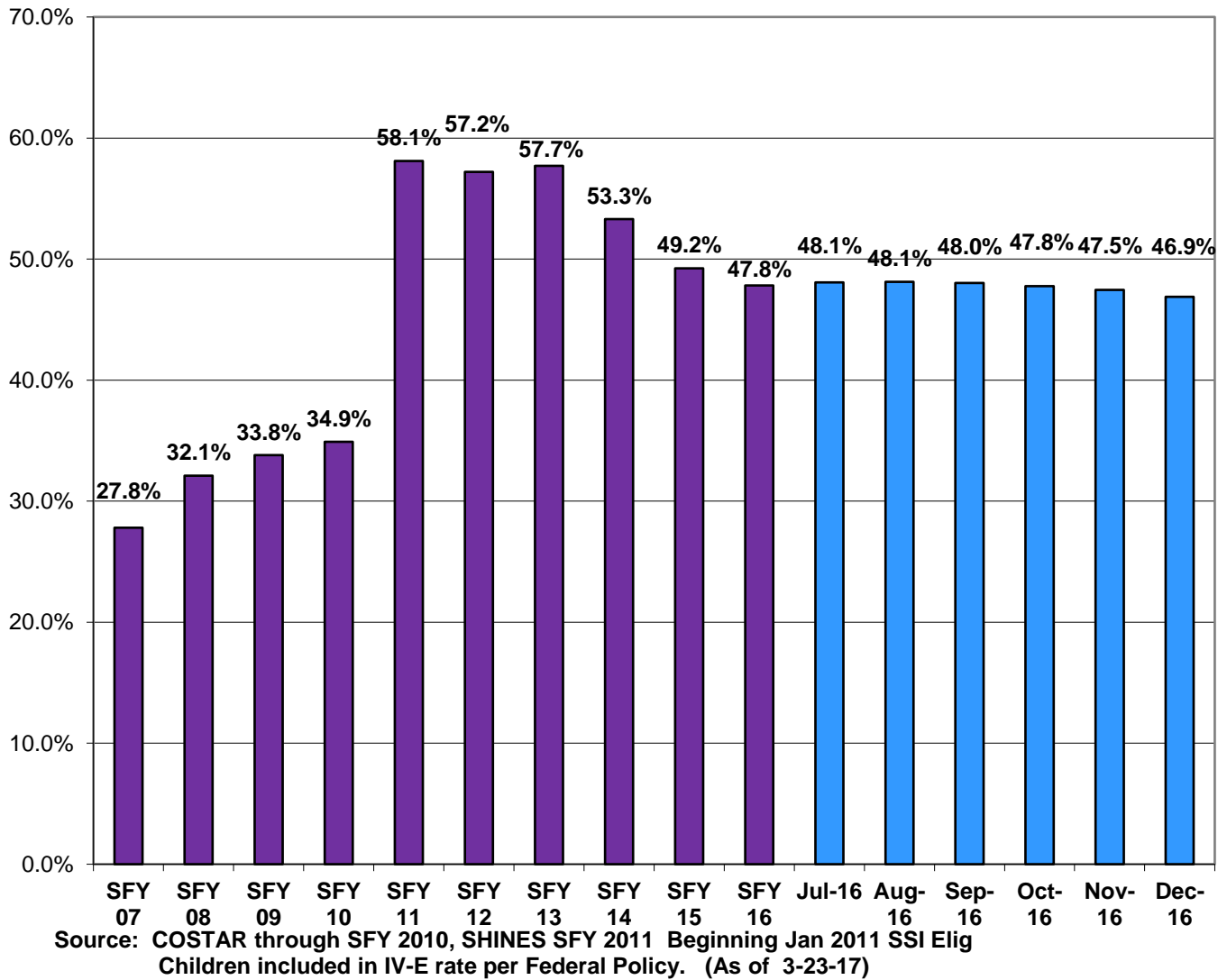


### State IV-E Penetration Rates

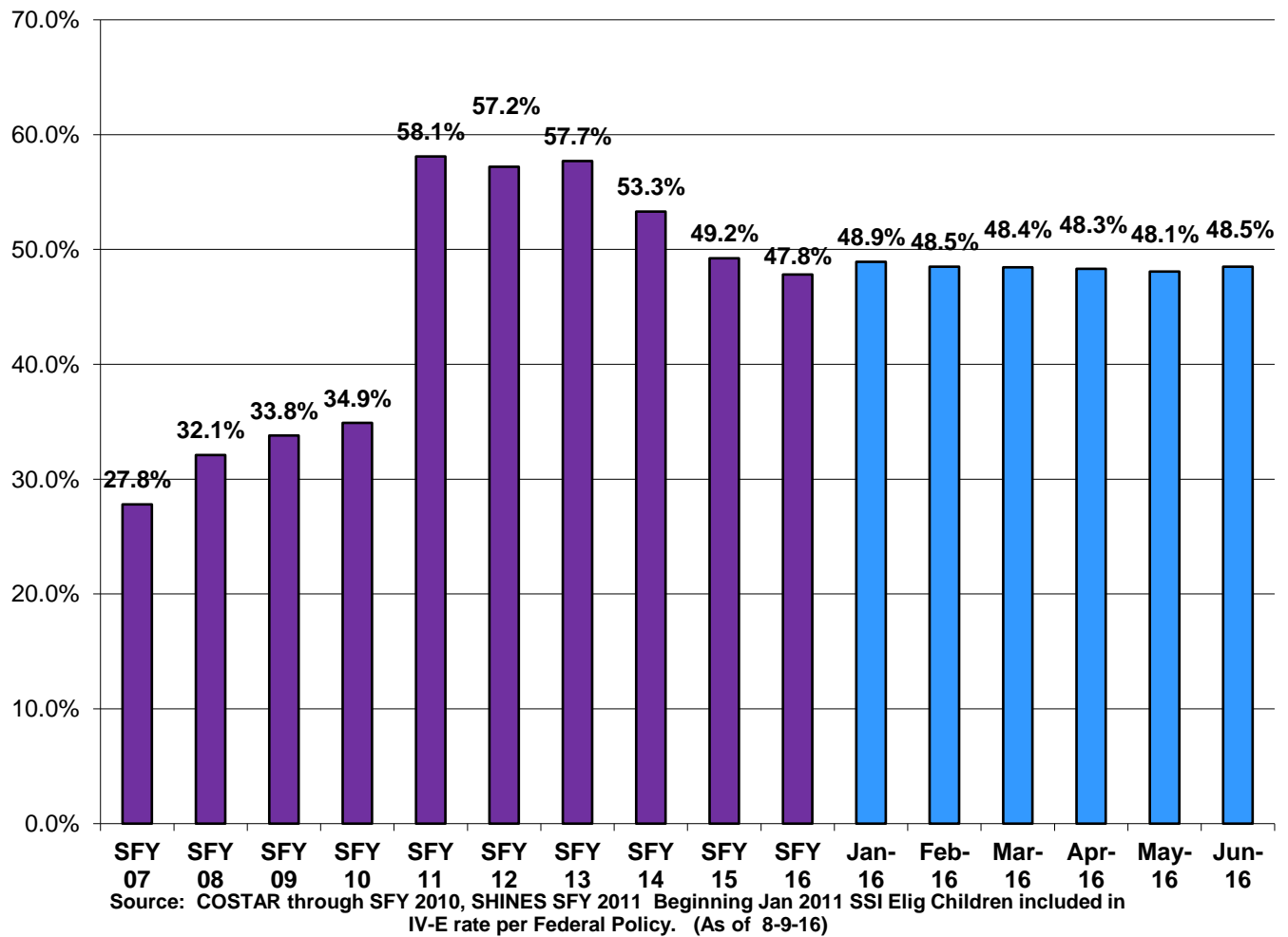
The ability of the State to claim federal reimbursement of foster care expenditures is referred to as the “IV-E penetration rate.” The higher the rate, the more reimbursement the State can claim from the federal government to cover the costs associated with providing safe and stable placements.

The State’s penetration rate in Period 22 was approximately **48 percent**, similar to the rate for SFY 2015.

### State IV-E Penetration Rates



## State IV-E Penetration Rates



## **APPENDIX A**

### **Data Sources and Methodology for Measuring State Performance in Reporting Period 22**

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 22, July to December 2016. The challenge for data collection and analyses in Period 22 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 housed in Georgia SHINES.

Like all information systems, the accuracy of SHINES data is a function of the accuracy with which data put into the system. Most of the identified discrepancies were 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 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 are structured 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 December 31, 2016, 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 July 1 and December 31, 2016 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 July 1 and December 31, 2016. 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 July 1 and December 31, 2016.
- All foster care cases (children) active in DeKalb and Fulton counties who entered foster care after July 1, 2016 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	Confidence Level and Margin of Error
Investigations of Maltreatment in Care	93	100% of maltreatment in care investigations during period	93	Not Applicable
Foster Homes	987	82	82	95% Confidence Level Margin of Error +/- 10 percent
Children in Foster Care who entered Foster Care any time before December 31, 2016	1969	92	92	95% Confidence Level Margin of Error +/- 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.

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.

## **APPENDIX B**

### **Definitions**

**Adoptive Placement** means the interval during which a child is placed with a prospective adoptive family following the signing of the appropriate adoptive placement agreement form, but before the entry of the adoption decree by the court.

**Child or Children or Class Member Children or Class Members** mean a child or children who have been, are or will be alleged or adjudicated deprived who (1) are or will be in the custody of the State Defendants; and (2) have or will have an open case in Fulton County DFCS or DeKalb County DFCS.

**Child Caring Institution (CCI)** is any child-welfare facility which provides full-time room, board and watchful oversight (RBWO) to six or more children up to 18 years of age. Some CCIs are approved to care for youth up to age 21. The CCI must be approved through the Office of Provider Management (OPM) to serve children in DFCS custody.

**Child Placing Agency (CPA)** is agency that places children in foster and adoptive homes for individualized care, supervision and oversight. Child placing agencies are responsible for assessing the placement regarding the appropriateness of the room, board and watchful oversight that the prospective foster and adoptive families will provide. The CPA's employees and their foster and adoptive parents work as a team to provide a stabilizing and nurturing environment that promotes safety, permanency and well-being.

**Corporal Punishment** means any physical punishment on a child that inflicts pain.

**CPA Foster Home** is a foster home approved by a Child Placing Agency for the temporary placement of children in foster care.

**DeKalb DFCS** means DeKalb County Department of Family and Children Services.

**DFCS** when used alone means the Georgia Division of Family and Children Services.

**DFCS Foster Home** is a non-relative foster homes approved by DFCS for the temporary placement of children in foster care.

**DFCS or CPA Adoptive Home** is an adoptive home approved for the foster care placement of a child for whom the established goal is adoption. Adoptive homes must meet the regular standards of care required for approved family foster homes and any conditions specified in that approval.



**DFCS Relative Foster Home** is a relative foster home approved by DFCS for the temporary placement of minor relatives. It is DFCS' preference that all relatives are approved as foster parents and receive a foster care per diem. The goal of relatives becoming foster parents is to ensure that the child has services to address his/her needs.

**DHHS** means the United States Department of Health and Human Services.

**DHR** means Georgia Department of Human Resources.

**Discipline or Other Serious Foster Care Violation** means and includes those acts or situations by the caregiver that pose an immediate or potential risk to the safety or well-being of the child in care. These may include, but are not limited to, inappropriate disciplinary measures (both physical/corporal and emotional), violations of supervision or other safety requirements that pose serious risk factors to the child.

**EPSDT** means the Early and Periodic Screening, Diagnosis and Treatment Program for individuals under 21 years of age contained in Title XIX of the Social Security Act, as amended.

**Fictive Kin** means a person who is known to a child as a relative, but is not, in fact, related by blood.

**Foster Parent** means volunteers who are trained and certified by DFCS or Child Placing Agencies to provide for the temporary care of children placed in the custody of DFCS. Foster parents work as a part of a team to assure that a child's physical, emotional, medical and psychological needs are met while they are in foster care. Although, it is not the goal to replace the child's parents, foster parents are asked to assume the responsibility of parenting the children placed in their home.

**Foster Relative** means biological kin who are trained and certified by DFCS to provide for the care of relative children placed in the custody of DFCS. Foster relatives work as a part of a team to assure that a child's physical, emotional, medical and psychological needs are met while they are in foster care. Although, it is not the goal to replace the child's parents, foster relatives are asked to assume the responsibility of parenting the children placed in their home.

**Fulton DFCS** means the Fulton County Department of Family and Children Services.

**Georgia Health Check Program** means Georgia Medicaid's well-child or preventive health care program adopted pursuant to EPSDT, and shall contain such components as they exist in the Georgia Health Check Program as of February 1, 2005.

**Governor** means the Governor of the State of Georgia.

**Legal Guardianship** means the appointment of an individual as a legal guardian for a child as authorized by either the probate court under O.C.G.A. Title 29 or the juvenile court under O.C.G.A. Chapter 15-11-2(36).

**One Episode of Foster Care** means the period of time that a child is in foster care from the date of removal from the home until the child is discharged from DFCS custody, except that a runaway does not trigger a new episode of foster care.

**Permanent Legal Custody** means custody granted in accordance with an order of the superior court or the juvenile court, which places a child in the custody of an individual or individuals until the child reaches 18 years of age.

**Permanent Placement with Relatives** means placing a child with a relative who is willing to assume long-term responsibility for the child, but has reasons for not adopting the child or obtaining guardianship or permanent legal custody, and it is in the child's best interests to remain in the home of the relative rather than be considered for adoption, permanent legal custody, or guardianship by another person. In such circumstances, there shall be in place an agreement for long-term care signed by DFCS and the relative committing to the permanency and stability of this placement unless it is necessary to disrupt the long-term placement.

**Psychiatric Residential Treatment Facility (PRTF)** is a temporary non-hospital facility with a provider agreement with a State Medicaid Agency to provide intensive therapeutic intervention to a child to ensure safety and stability. PRTFs offer intensive behavioral health services to children in Georgia.

**Relatives** are persons who are related by blood, marriage or adoption including the spouse of any of those persons even if the marriage was terminated by death or divorce.

**Relative Placement** refers to placement in the home of a relative or fictive kin who do not receive a foster care per diem for the care of the child. The relative placement may be a non-paid placement or the relative may receive TANF or an Enhanced Relative Rate (ERR) Subsidy. Fictive

kin are not eligible for TANF or an Enhanced Relative Rate (ERR) Subsidy. Fictive kin must become foster parents to receive financial assistance.

Placement with relatives or fictive kin may occur very quickly if there is a satisfactory CPS history check, safety and home assessment check, and a Georgia Crime Information Center (GCIC) check through the Office of the Inspector General (OIG) on all household members 18 years of age or older. A Relative or Non-Relative Care Assessment must be completed no later than 30 calendar days after the placement of a child.

**State DFCS** means the Division of Family and Children Services of the Georgia Department of Human Resources.

**Suspected Abuse or Neglect** means being based on reasonable cause to believe that a child may have been abused or neglected.

**Suspected Corporal Punishment** means being based on reasonable cause to believe that corporal punishment may have been used on a child.