



Child & Family Services Review: An Opportunity to Work Together to Improve the Safety and Well-Being of Children Involved in New York's Child Welfare System

What is the Child & Family Services Review?

Beginning in 2000, the Children's Bureau at the federal Health and Human Services Administration for Children and Families began conducting regular assessments of states' performance on child welfare outcomes. The assessment, called the Child and Family Services Review (CFSR), was implemented under amendments to the federal Social Security Act, authorizing the federal government to assess states' conformity with national standards. States are reviewed approximately every three years, and each review takes a few years to complete.¹

The CFSR assesses the performance of each state's child welfare services by evaluating indicators related to safety, permanency, and well-being of children and families involved with the child welfare system. Each indicator is compared to a national standard. New York is currently undergoing its third CFSR review.

New York's Performance

The initial round three CFSR assessments demonstrate that New York ranks near the bottom nationally on safety and permanency measures, indicating that children in New York are more likely to experience a recurrence of maltreatment than children in other states, and that those in foster care are less likely to be placed quickly in permanent homes. Specifically, only 33.6% of children entering foster care found a permanent home within 12 months, compared to a national standard of 40.5%.² At the same time, 17.8% of children who had experienced a confirmed case of abuse or neglect experienced a second instance within 12 months, compared to a national standard of 9.1%.³

New York's poor performance on the initial assessments under round three follows on the heels of its poor performance in the first two rounds of the CFSR—finalized in 2004 and 2010, respectively.^{4, 5} While no state was found to be in substantial conformity

with all of the national standards in either the first or second round of reviews, New York performed substantially below the national standard on indicators related to safety and permanency in the first two reviews, and the initial assessments for round three reveal that we continue to perform poorly in these areas.^{6, 7} It is clear that the State is overdue to devote substantial attention and resources toward achieving better child welfare outcomes.⁸

Process & Timeline

Initial Aggregate Data. As the first step in the CFSR process, the federal Children's Bureau has produced state-level aggregate data on New York's children involved with the child welfare system, comparing New York's performance to national standards. The New York State Office of Children and Family Services (OCFS) has released county breakdowns of data on the same federal indicators, showing the change in those outcomes over two one-year time periods.⁹

Onsite Review. Next, a federal team, together with State personnel, will conduct a one-week onsite review that will include close review of selected individual cases, interviews with children and families, and interviews with community stakeholders. The onsite review generally takes place at several local child welfare offices. On the final day of the onsite review, local debriefings will be held at each site. During the debriefings, the federal team will share preliminary findings and observations; note patterns that were observed; gather feedback about the review process; and discuss next steps.¹⁰

Children's Bureau's Final Report. Approximately 30 days after the review is complete and the Children's Bureau has received all case review data, the Children's Bureau will release a final report highlighting New York child welfare services' strengths and areas needing improvement. Upon release of the report, the Children's Bureau and the State will hold a formal discussion of the results.¹¹

Performance Improvement Plan. Within 90 days of receiving written notice from the Children’s Bureau that the State is not in substantial conformity with any of the seven indicators, it will be required to submit a Program Improvement Plan (PIP) to the Children’s Bureau outlining plans to make improvements in these areas.¹²

As noted above, the initial assessments are underway; the data that has been gathered are available on Schuyler Center’s website at: www.scaany.org/policy-areas/child-welfare/. We expect that the onsite review will take place during the week of June 13, 2016, that the Children’s Bureau’s final report will be issued by late summer, and that the State will develop its PIP by mid-fall.

Stakeholder Engagement

It is important that concerned stakeholders engage, wherever possible, in the review process to increase attention to New York State’s performance and to support the State and OCFS in their efforts to improve outcomes for children and families who become involved in the child welfare system.

The federal review process requires that both the onsite review and the development of the PIP include “substantial, meaningful and ongoing” stakeholder participation, and specifically recommends that the State invite community partners and stakeholders to participate in local debriefings, the formal discussion that follows the release of the final report, and the development and implementation of the PIP.¹³ There also may be other formal and informal opportunities for stakeholder involvement.

Initial Recommendations

The issues related to New York’s performance on the CFSR are incredibly complex. Children’s exit from foster care to a permanent home, for example, can be impacted by a number of factors including the court system, their birth family situation, and the identification of an appropriate adoptive or guardianship placement, among numerous other factors. Because of this complexity, it is essential that we, as a state, begin to look beyond apparent, “easy fixes,” and work to identify root causes of the State’s continued poor outcomes. Until we identify the issues that are driving up our recurrence of maltreatment rates and causing our children in foster care to remain there for extended periods until permanency, we will continue to fail our children.

To identify root causes of child maltreatment and effectuate meaningful policies that will address them, will require input from a range of stakeholders and experts, including parents, service providers, academics and others. It is therefore imperative that the State actively engage a broad range of stakeholders in all stages of the CSFR process. We also encourage stakeholders to reach out to the State and ask to be involved in this process. Together, we can make real and lasting improvements to New York’s child welfare system.

Endnotes

- ¹ Children’s Bureau. Child and Family Services Reviews: Fact Sheet. http://www.acf.hhs.gov/sites/default/files/cb/cfsr_general_factsheet.pdf
- ² Children’s Bureau. (May 2015). CFSR Round 3 Statewide Data Indicators – Workbook. [https://training.cfsrportal.org/resources/3105#Data Indicators and National Standards](https://training.cfsrportal.org/resources/3105#Data%20Indicators%20and%20National%20Standards)
- ³ Ibid.
- ⁴ U.S. Department of Health and Human Services, Administration for Children and Families, Region II. (2002). Final Report of the Child and Family Services Review of New York State. https://library.childwelfare.gov/cwig/ws/cwmd/docs/cb_web/Blob/49.pdf?w=NA-TIVE%28%27DT+ph+is+%27%27CFSR+Final+Report%27%27+and+STATE+%3D+%27%27New+York%27%27+and+RPERIOD+%3D+%27%271st++Round+CFSR%27%27%2C%27%272-nd++Round+CFSR%27%27%2C%27%273rd++Round+CFSR%27%27+and+DOC_availability+^%3D+%27%27Not+publicly+available+on+the+Children%27%27%27%27s+Bu-reau+website%27%27%27%29&m=1
- ⁵ U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children’s Bureau. (2009). Final Report: New York Child and Family Services Review. <http://ocfs.ny.gov/main/reports/March%202009%20-%20Final%20Report.pdf>
- ⁶ Children’s Bureau. Child and Family Services Reviews: Fact Sheet. http://www.acf.hhs.gov/sites/default/files/cb/cfsr_general_factsheet.pdf
- ⁷ For New York’s round one and round two reports and Program Improvement Plans, see https://library.childwelfare.gov/cwig/ws/cwmd/docs/cb_web/SearchForm
- ⁸ NOTE: It has been suggested that New York’s poor performance on permanency measures is due in part to its policy of extending foster care to age 21. However, CFSR excludes youth ages 18 and older from the state assessments so as to accurately measure across states, including those that do not extend foster care beyond 18. (Department of Health and Human Services, Administration for Children and Families. (May 2015). 45 CFR Part 1355. Statewide Data Indicators and National Standards for Child and Family Services Reviews: Corrected Federal Register Announcement.)
- ⁹ County-level data is available on our website: http://www.scaany.org/wp-content/uploads/2016/04/NY-Perm_Safety-Data_12.22.151.pdf
- ¹⁰ Children’s Bureau. Child and Services Family Reviews, Procedures Manual (November 2015) (hereinafter, CSFR Procedures Manual), pp. 45-46. http://www.acf.hhs.gov/sites/default/files/cb/round3_procedures_manual.pdf
- ¹¹ Ibid at p. 57.
- ¹² Ibid at p. 58.
- ¹³ Ibid at pp. 45-46, 53-55, 57-58.