

**Children can't wait for a better time.**



They need preventive, protective, and intervention services now to grow and develop, to keep families together and to be safe from harm.

# Introduction



The New York State Citizen Review Panels are composed of citizen volunteers appointed by the Governor, the Speaker of the Assembly, and the President Pro Tem of the Senate to review the policies, procedures, and practices in child protective services and to submit yearly recommendations to the state. The Panels' past annual reports have centered on major changes in how child welfare is practiced, suggesting a shift away from costly foster care and residential placements to supporting children and their families with primary prevention and protective services before harm has been done to a child. The reports have pointed to research that provides a clear path to keeping families together and building on their strengths, reducing out-of-home placements, and providing families with the services they need most.<sup>1</sup>

New York State has made real progress in reducing the number of children in foster care, achieving permanency, instituting a differential response to child protective reports, and offering support to youth who age out of foster care. In 2010, the passage of Kinship Guardianship Assistance brought an important change to child welfare practice in New York State. The legislation provides child welfare workers with an important new tool for achieving permanency for children and youth who are placed with caring relatives.

Also in 2010, hundreds of child welfare experts and advocates, local district staff, family members, and foundation representatives attended sessions of the New York State Office of Children and Family Services (OCFS) Listening Tour. They met to discuss and offer their ideas for reforming the state's child welfare system at the most basic level. These *Ten for 2010* forums were based on a 2007 Panel article and recommendation calling for a thorough examination of child welfare practice in New York. The Panels appreciate this effort and look forward to continued discussions, planning among members of the child welfare community, and adoption of policies that work for children and families.

Though progress has been made, there are some troubling trends: the number of children living in poverty has increased, key funding has been cut and reports to the State Central Register have increased. This year, there is particular urgency to the Panels' recommendations, as the very infrastructure for vital community services is in jeopardy. Continued cuts will lead to negative consequences for children. The long-term effects of abuse and neglect are lasting.<sup>2</sup> Successful programs improve outcomes for children and their families and can save the state money. Children can't wait for a better time; they need these services now.

The Panels' 2010 recommendations emphasize the need for preventive funding, continued support for Family Assessment Response, changes to New York's response to educational neglect for teens, and reinvestments in child welfare.

The Panels respectfully submit their *2010 Annual Report and Recommendations* and urge implementation of the recommendations.

# 2010 RECOMMENDATIONS

## PREVENTION

**Restore uncapped 75% state /25% local share for primary prevention and intervention services funding and allow counties that opted out of COPS due to state funding cuts and a lack of local share to opt back in.**

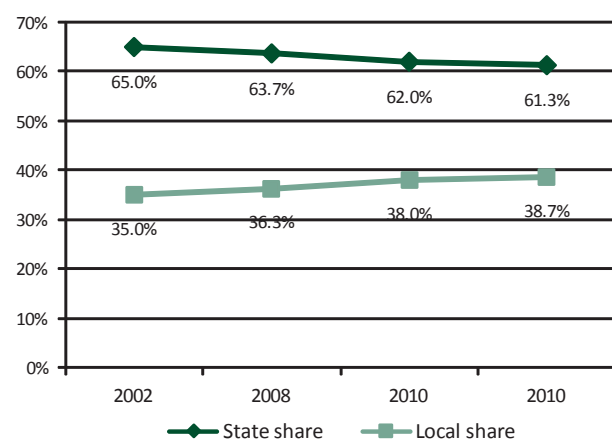
New York State has made a large investment in preventive funding, leading to reduced numbers of children in foster care. Still, the amount of funding available for preventive services has not kept up with demand and changes in child welfare policy, or with research on best practices and child well-being. Preventive services can save the state a considerable amount of money associated with repeat maltreatment, entry into foster care or residential placement, and re-entry into foster care after exiting. In 2007, Erie County reported spending, on average, \$6,500 per child for preventive services. In comparison, the average cost per child for one year of foster care was \$45,000 and for residential placement, \$90,000.<sup>3</sup>

In 1979, New York's Child Welfare Reform Act authorized the state to fund 75% of the cost of mandated preventive services provided by local departments of social services (LDSS), with the remaining 25% covered by each locality. The goal then, as now, was to reduce entries into foster care. Furthermore, 50% state reimbursement was offered for Community Optional Preventive Services (COPS) to help keep children at risk of maltreatment out of the system in the first place. The original intent behind the uncapped portion of child welfare financing was to provide a reliable source of funding to communities to encourage localities to "invest in services that promote family stability and permanency of children in safe home-based settings."<sup>4</sup>

Starting with enactment of the Child Welfare Financing Law of 2002, the state reimbursed both mandated and COPS services at 65% state/35% local share. In 2008, the Legislature began cutting the state share reimbursed to counties for these critical services to 63.7% in 2008 and to 62% in 2010. In September 2010, an addi-

tional adjustment of 1.1% was made on any undisbursed funds due to lower than anticipated federal reimbursements for Federal Medicaid Assistance Program (FMAP), bringing the state share temporarily to 61.318%. This reduction is slated to cease no later than March 31, 2011. These cuts place an undue burden on the LDSS to find additional funding for preventive services.

**Trend in State Versus Local Share of Preventive Services Funding**



The impact on LDSS budgets comes at a time when county budgets are under extreme pressure and local taxpayers are vigorously opposing tax increases. The latest state cuts to preventive funding, which increase the local share of costs for important programs, have left some localities unable to maintain the current level of services and the infrastructure for local services at risk.

The Panels' call for restoring the state share to 75% reflects the importance panel members place on preventive funding. This uncapped funding source is critical for keeping children out of more costly care, and achieving better outcomes for families.

Families, especially those with high risk ratings, should be offered preventive services that meet their needs and are of sufficient intensity to reduce the likelihood of maltreatment and re-entry into the child protective system (CPS). Too many families re-enter the system with new safety concerns, indicating that the services

## Terms

### Risk Rating:

A Risk Assessment is completed during the investigation process to determine the likelihood that a child will experience abuse or neglect in the near future. Risk Assessment ratings provide the foundation for the case plan and determine the need for services for each family. A family with a low risk may have the case closed without services if the maltreatment was a one-time incident. A family with a high risk may be provided with in-home services to address concerns.

### Indicated Report:

A report is “indicated” when a child protective service worker determines that there is credible evidence that a child was abused or neglected.

they received, if any, and their involvement with CPS, did not eliminate safety concerns. In New York State, during the first six months of 2009, as many as 52% of families with indicated reports had previous indicated reports; 11.6% had five or more.<sup>5</sup>

New York is not alone. A recently released longitudinal study by Campbell, Cook, LaFleur and Keenan noted between 22% and 62% of families with indicated reports will be reported back to the system.

The authors report that only 38% of those involved in CPS receive post-investigation services despite the existence of identifiable problems. In New York State, most families with indicated reports in the first six months of 2009 received services if their risk ratings were high; just over half of those with medium risk ratings received services; and about a third of those assessed as low risk received services.<sup>6</sup> Some families with unfounded reports, especially those with high risk ratings, also received services. In addition to pointing out the need for more services, the Campbell study suggests a need to address broader risk factors identified by CPS at the time of the investigation. CPS should intervene with the types of supports that build strong families and reduce the number of families reported back to the system.<sup>7</sup> Services that have proven to decrease the incidence of child maltreatment include those that build parental resilience; connect parents to a social network to diminish their feelings of isolation; provide knowledge about parenting and child development; address children’s social and emotional development; and provide concrete support in times of need.<sup>8</sup>

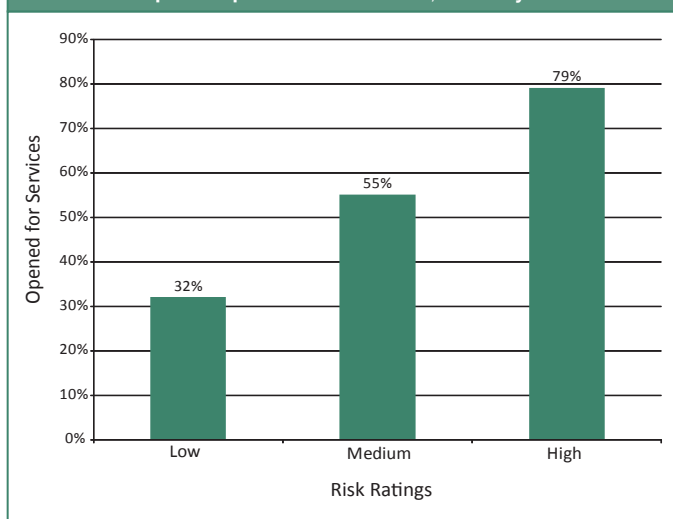
The Campbell study did not look at outcomes associated with CPS cases that are assigned to an alternative approach such as New York’s Family Assessment Response (FAR or differential response), although other research has done so. Caseworkers using a differential response are more likely to focus on the family’s needs and help them access services rather than focusing on making a determination of abuse or neglect. Outcomes improve as a result, even for families frequently involved in CPS.<sup>9</sup>

Preventive services are vital to keeping children safe, keeping families together and preventing entry into costly foster care or residential placements. This is the time when the state can least afford to cut preventive funding that helps families and reduces harm to children.

### Ensure secure funding streams for evidence-based primary prevention services, like home visiting and parent education, and double the current appropriation for such services.

Dedicated funding for primary prevention is aimed at averting harm in the first place. LDSS can do a better job of protecting children by intervening early, before abuse has taken place. Additional funding can reduce entry into the child welfare system, child deaths and costly placements into foster care. Services such as home visiting and parenting education are essential to the success of this effort. These programs help families to better care for their children, reducing the incidence of child maltreatment.

Percentage of New York Families by Risk Rating with Indicated Reports Opened for Services, January – June 2009





Although Healthy Families New York funding was maintained in the 2010-11 *Budget*, many new parents do not have access to these services. Healthy Families New York supports 37 evidence-based home visiting programs, which have demonstrated positive impacts on family functioning. Funding for Healthy Families New York must, at the very least, be maintained at its current level if New York is to meet the Maintenance of Effort obligation required to qualify for federal home visiting funding under the Patient Protection and Affordable Care Act (Health Care Reform Act).

Parenting education programs that focus on preventing shaken baby syndrome and co-sleeping can result in behavior changes that help prevent child deaths. Other programs such as Triple P (Positive Parenting Program) and The Incredible Years show promise in reducing child maltreatment.<sup>10</sup> Outreach to immigrant populations with important parenting education and cultural norms can result in fewer removals.<sup>11</sup>

**Expand funding for Community Optional Preventive Services (COPS), which could be used to support co-location of services in local schools and a continuum of care approach leading to improved outcomes, reduction in educational neglect reports, and cost savings over the long-term.**

COPS works because it offers more flexibility, lower administrative costs, and earlier identification of the need for services. Yet in the 2010-11 *Budget*, the funding for COPS was cut by \$5 million.

In 1988, funding was first offered to a select group of providers to target families at risk (though not at immediate risk) of foster care, with primary or secondary forms of preventive services designed to avert family

crises and later foster care placement. Since then, COPS funding has been an important offering at the local level to support innovative practice because it allows LDSS to maximize resources through collaborations and blended funding streams. LDSS use the funds for parenting skills groups, school-based prevention and therapeutic programs.

In 2009, an OCFS survey of LDSS found that 152 programs were offered, serving 35,464 individuals with funding totaling \$55,490,406.<sup>12</sup> In 2010, 34 counties did not offer COPS services, five of which had done so in 2009.<sup>13</sup> Expansion of COPS dollars would allow more counties to avail themselves of this flexible funding and for those counties who do offer COPS services to increase the number of children and families served. According to the OCFS report, “COPS funding was aimed at supporting community-based services that worked with youth and families before a serious problem developed, rather than serving youth at immediate risk for placement, with the long-term goal of reducing the need for foster care and offering a less costly alternative to placement.” Such flexibility of funding provides LDSS the ability to be responsive in meeting the needs of specific communities.

The Panels maintain that these are not optional services – they are vital services needed to protect child and family well-being. The flexibility that COPS funding allows is so important to LDSS in supporting children and youth needs across systems that the funding should be expanded.

## **FAMILY ASSESSMENT RESPONSE (FAR)**

**Reauthorize and make permanent Family Assessment Response legislation and remove the exclusion for a city with a population over two million.**

Implementation of FAR, also known as alternative response, differential response, or dual track, began in 2008 with six pilot counties. A six month follow-up evaluation of FAR demonstrates that children are just as safe with a FAR approach as with a formal investigation.

Surveys indicate this alternative to a traditional investigative approach is well received by families and caseworkers. From other states' experiences, we know that it can also save the state money.

FAR offers an alternative to the traditional investigation in child welfare and fundamentally changes CPS practice. With a report assigned to the investigation track, a caseworker must look at what happened and decide whether or not maltreatment occurred. With a report assigned to the FAR track, the caseworker engages family members to work together to identify service needs and find solutions to problems. Since the program was first authorized in 2007, nineteen New York counties now offer a FAR response; 3,606 reports were assigned to this new option in 2009.

It should be noted that research has found that differential response does not compromise short- or long-term safety but actually improves it when family members are involved in decision making. One important measure of success is preventing children who do not need state care from coming into state care.<sup>14</sup> Importantly, the approach saves money, costing \$3,688 per case compared to \$4,967 per case for an investigation approach in Minnesota.<sup>15</sup>

The 2007 FAR legislation, due to expire in June 2011, should be made permanent. In addition, the Panels call for the removal of the exclusion for a city with a population over two million so that New York City can consider offering the FAR response at a future date.

**To assure the success of FAR, LDSS should be given broad discretion on using funding to purchase necessary services and supplies for families. The state should provide sufficient funding to local districts for this core component, utilizing preventive funds or blended funding streams.**

Funding from the Marguerite Casey Foundation was used to provide this flexibility for the first six pilot counties. Casey's support ended in December 2010. OCFS's Quality Enhancement Funds supported the additional thirteen counties offering a FAR response. Those funds were cut 50% in the 2010-11 *Budget*.

This flexible funding is key to the successful implementation of FAR because it gives caseworkers the ability to immediately respond to families' service needs, often poverty-related, that are not easily addressed through traditional funding sources. The ability to meet basic needs

"Thanks to the Children's Services Worker I was able to obtain the funds needed to renew my nursing license and I have found employment. I wish something could've been done to save our house but things began to look up the day she came to visit...."

*(New York FAR Quarterly, Vol. 2. No. 2.)*

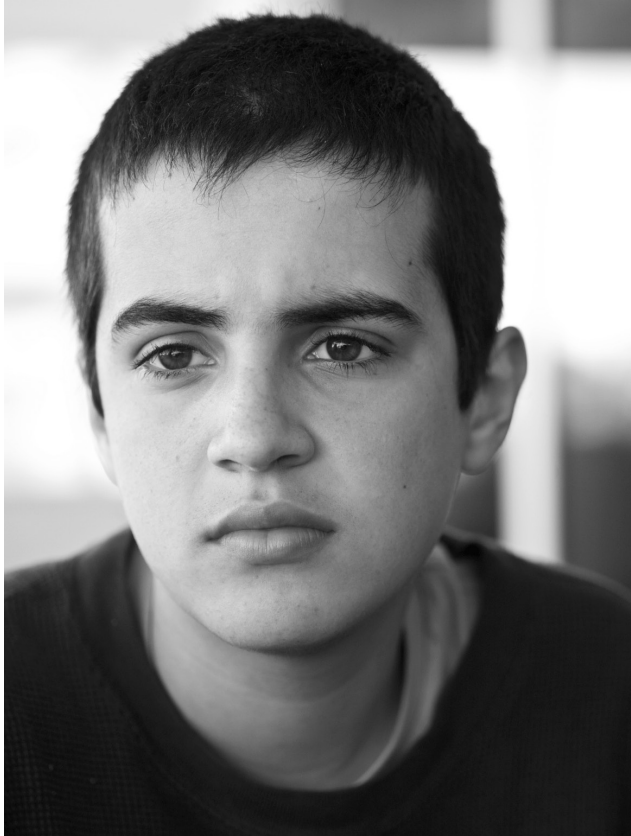
(food, shelter, furniture) is a major factor in ameliorating the immediate crisis and in engaging family members to work on long-term issues. For instance, the pilot counties used flexible funding for cleaning supplies, appliance repair, car repairs, gas cards, bus passes, household items, and furniture. In one case, flexible funds were used to buy shoes for a teen who was not attending school. After receiving new shoes, she did not miss a day of school. In another situation, funds paid for a driver's education class that allowed a father to obtain his driver's license and become more self-sufficient. These small investments of money can lead to long-term benefits for families.

As more counties begin FAR, a funding solution for this core component of the program is needed.

## EDUCATION NEGLECT

**The Panels reiterate their 2009 recommendations calling for the elimination of educational neglect as a basis for child protective reports for children 13 and older; strengthening instruction of SCR staff and mandated reporters; and increasing schools' responsibility for identifying and reducing absenteeism.**

Educational Neglect is defined as "... the failure of a parent to ensure a child's prompt and regular attendance in school or the keeping of a child out of school for impermissible reasons resulting in an adverse affect on the child's educational progress or imminent danger of such an adverse affect."<sup>16</sup> In 2008, the parents of 28,401 children, 8.3% of the reports, were investigated for allegations of educational neglect, the majority of which involved teens who were chronically absent from school.



The results of these investigations revealed that most of the youth were at low risk for maltreatment. In 2009, over 15,000 educational neglect reports were accepted by the SCR, with educational neglect as the sole reason for making a report. These children represent only a small subset of students who miss too much school. In New York City alone, 124,000 teenagers or nearly 40% of high school students missed 20 or more days of school in the 2008-09 school year.<sup>17</sup>

There are many reasons why teens do not attend school, no matter what effort parents make to assure their attendance. Often, they are not on grade level with their classmates, lack sufficient credits to graduate on time, are threatened by violence, or have special education needs that have not been identified. Many have Individualized Education Plans (IEPs) which have gone unmet. They need assessments of learning difficulties, tutorial support to help remediate skill deficits, literacy support, and other interventions, rather than a report to the SCR. The child welfare system is ill-equipped to address these education deficits. In addition, parents feel punished for something that is beyond their control, especially when they are seeking help and support. Schools are better positioned to address teens' education deficits and should be required to regularly report and be measured on chronic absenteeism.

The Panels support the Vera Institute's recommendation to "Seek statutory change to achieve new standards for youth demonstrating truant behavior where parental

responsibility is not in question."<sup>18</sup> A more effective option is needed for engaging students who are chronically absent from school. Making this change will also free scarce resources for those cases where there is serious concern for a child's safety. Further, a report to the SCR would still be mandated for any concern about a teen's safety unrelated to school absences.

**Develop and implement an alternative response to chronic absenteeism outside the child welfare system that combines blended funding and a multi-disciplinary approach at the local level to meet the complex service and education needs of struggling students to improve educational outcomes.**

An alternative response to educational neglect outside the child welfare system that uses a teen engagement approach rather than an adversarial approach is needed for teenagers. LDSS understand the need for engagement. All nineteen counties offering a FAR response are addressing educational neglect with this alternative response. There is growing support on the part of many interested parties, including school personnel, for an alternative approach outside the child welfare system to address teens' refusal to attend school.<sup>19</sup> These supporters acknowledge that this is not just an education problem or a CPS problem, but a community problem that requires collaborative efforts due to the varied and complex causes.

Effective programs build on strengths and provide positive feedback and a connection to a caring adult. Mayor Bloomberg's "Every Student. Every Day" initiative is one example of a multi-agency response to chronic absenteeism and truancy. Formed in 2010 and introduced in 25 city schools, the initiative includes family and student outreach, new data tools to identify the problem, matches with caring adults through a newly formed mentoring corps, services or interventions as needed, and community partnerships and incentives. There are several other models in New York State with the aim of improving school attendance and performance through a combination of incentives and punishments.

This approach requires blended funding. There is a unique opportunity to use blended funding to improve educational outcomes now that New York State was awarded Race to the Top funds to improve poorly performing schools. COPS funding, if expanded, can be

leveraged to co-locate services. Services such as improved educational supports, mentoring, behavioral and mental health treatment, family engagement and education advocacy are particularly needed. Schools are integral in this effort. They have a responsibility to identify and link struggling students and families to in-school education supports and community-based services before absenteeism leads to compromised learning.

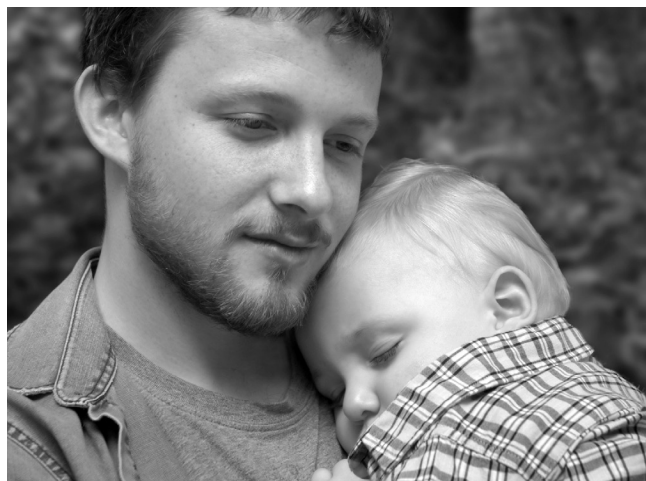
## REINVESTMENTS

**Reinvest all savings from reductions in costs of foster care and the juvenile justice system into Family Assessment Response, Kinship Guardianship Assistance, COPS, and primary prevention programs and services.**

Inevitably, the costs associated with separating children from their families and placing them into foster care and the juvenile justice system will decrease if appropriate funding and legislative change occur to support the recommendations found in *Charting a New Course, A Blueprint for Transforming Juvenile Justice in New York State* and the Panels' recommendations to reduce foster care placements and shift funding to primary prevention and intervention services in communities. In an era of retrenchment where governments desperately seek any and all reductions in expenditures, cuts to child welfare funding, used to serve our most vulnerable children with the aim of keeping them safe, cannot be used to shore up the budget.

Too little funding is available to support the critical service needs of the families involved in the child welfare system. The number of reports to the SCR has increased over the past five years.

The state's recurrence rate of 12.2% is well above the federal standard of 5.4%, and 17% of foster care children re-enter foster care within one year of discharge.<sup>20</sup> During the economic recession, 61.9% of the 2008 reports involved an allegation of neglect or deprivation of necessities.<sup>21</sup>



The Panels urge reinvestments into OCFS initiatives detailed in the previous recommendations, all of which aim to improve outcomes and reduce costly out-of-home placements. In particular:

- Funding flexibility to support LDSS's implementation of a FAR response.
- Funding to offer an alternative response to the reporting of educational neglect outside the child protective system.
- Expansion of COPS funding.

In addition, Kinship Guardianship Assistance legislation passed without a funding provision. Implementation begins in April 2011. This new option will allow many children and youth who are living with kin to exit foster care and find permanency by providing financial assistance to their kin caregiver. The new law does not require the termination of parental rights. This option eliminates two roadblocks for youth living in a relative

	2005	2006	2007	2008	2009
CPS reports	139,177	158,970	154,829	163,849	167,535
Number of children in CPS reports	185,268	209,620	209,037	219,271	225,195
Indicated reports	41,990	51,155	49,928	52,142	52,835
Number of families receiving Preventive and/or Protective services	21,683	23,948	21,803	23,541	23,895
Number of children in care	25,413	25,699	25,062	24,409	23,436

foster home who cannot return home and who will not be adopted to exit foster care. Passage of Kinship Guardianship Assistance was a positive step for New York. Now, a dedicated funding source must be found outside the Foster Care Block Grant. In the long-term, savings will be realized through reduced administrative costs and reductions in foster care. This cannot wait for child welfare finance reform in 2012.

These reinvestments will assure that more children remain in their homes, communities, and schools with wrap-around services to families.

**Invest in training and technical assistance for the delivery of culturally competent services to help eliminate disparities for children of color in child welfare.**

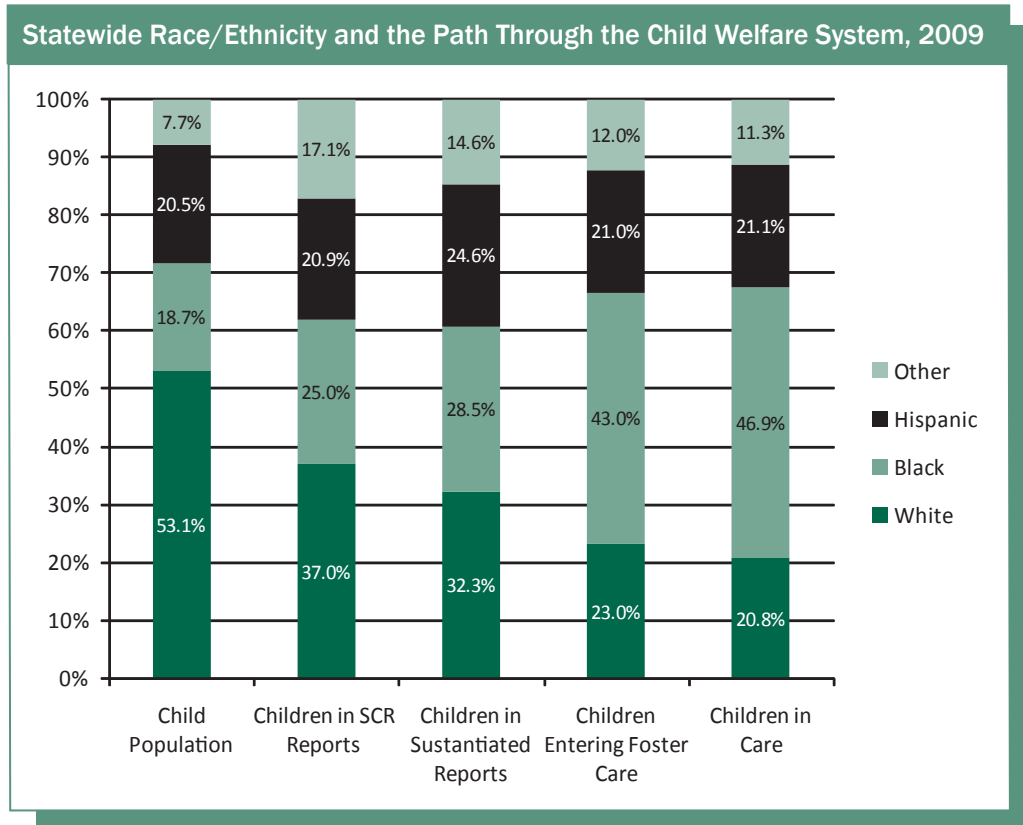
Local departments of social services and child welfare staff must acknowledge and examine the reality that too many children of color become part of the state’s child welfare system and work to address the underlying reasons for their involvement, to achieve better outcomes. For too long, children of color have been overrepresented and treated with disparity in the child welfare system.

They are more likely to have a report accepted by the SCR, have a finding of indicated, enter the foster care system, and stay longer in foster care. OCFS is now working with seven counties in a pilot to address Disproportionate Minority Representation (DMR) by improving cultural competencies and looking for new options to support and strengthen families other than separating a child from his or her family.<sup>22</sup> Funding for these seven pilots is provided by Casey Family Programs and OCFS’s Quality Enhancement Funds. The Quality Enhancement Fund within OCFS’s budget received a 50% cut in the 2010-11 Budget.

Training of the child welfare workforce is critical to reversing disproportionate outcomes and building culturally relevant and competent practices.<sup>23</sup> Such practices can lead to better family engagement with African-American, Latino and immigrant populations. This work must also be supported by community-based services.<sup>24</sup>



Reinvestments of savings can lead to expansion of this important work.



# 2010 PANEL ACTIVITIES



## New York City Panel

### FEBRUARY 9, 2010 MEETING

OCFS Deputy Commissioner Laura Velez provided an overview of the Vera Institute's Report on educational neglect, the Kinship Guardianship Assistance bill included in the Governor's Executive Budget, and the *Ten for 2010* forums planned for the spring. The Vera report explores the reporting of educational neglect as it relates to teens and makes recommendations that would lead to a change in statute eliminating reports for teens, placing more accountability on schools for chronic absences, and developing preventive services to meet teens' needs. The *Ten for 2010* forums are a direct result of the 2007 Panel recommendation calling for a Task Force to address needed reforms in child welfare.

### APRIL 13, 2010 MEETING

Gisela Alvarez, Esq., Senior Project Director and Erika Palmer, Supervising Attorney from Advocates for Children met with panel members to discuss educational neglect in New York City and Project Achieve. Reports of educational neglect stem from social services needs, instability at home, academic factors and safety concerns. Some of these factors can be addressed by the child protection system. Others must be addressed by the education system. Advocates for Children has implemented Project Achieve, a collaborative model which pairs education expertise with city child welfare agencies to provide assistance to families, train caseworkers and to help caretakers navigate the public school bureaucracy. The pilot operates at five sites in New York City to resolve education-related problems.

### MAY 11, 2010 MEETING

Panel members met to discuss an advocacy strategy for moving panel recommendations forward, to plan for the June Joint Panel meeting, and to discuss the need for parent guidelines for discipline and leaving children home alone. The Panel chose to concentrate their advocacy efforts on the issue of educational neglect and agreed to write Commissioner Mattingly to request that ACS issue additional or more instructive guidelines to help parents better understand which parenting practices could lead to a report of child maltreatment.

### JULY 13, 2010 MEETING

ACS Commissioner John Mattingly and Deputy Commissioner Jan Flory met with panel members to provide an update on ACS' Children's Safety Initiatives. ACS is now conducting ChildStat sessions with foster care agencies. NYC is seeing an increase in the number of infant toddler deaths and girls recruited into prostitution. Renee Hallock, OCFS Director for the Child and Family Services Review (CFSR), provided an overview of the Performance Improvement Plan (PIP), data, and work with counties to make needed improvements in child welfare practice across the state. She highlighted two areas of performance from the CFSR on which New York State did poorly: permanency and recurrence. Every six months, data packets are updated and discussed with local departments of social services.

### SEPTEMBER 7, 2010 MEETING

OCFS Child and Family Service Review Director, Renee Hallock, provided an overview of OCFS's Response to the NYS Citizen Review Panels' 2009 Annual Report and



Recommendations. She stated that OCFS plans a summit in November to provide a report with recommendations based on the input from the *Ten for 2010* forums held this past year. Discussion centered on OCFS's work related to disproportionate minority representation, funding issues in the

Child Welfare Financing Law which is due to expire in 2012, and the need for a systemic review of removals resulting in foster care placements. Panel members discussed possible recommendations for their 2010 report.

#### **DECEMBER 14, 2010 MEETING**

OCFS Associate Commissioner Sheila Poole and Claire Strohmeyer from OCFS's Continuous Quality Improvement unit presented an overview of the revised Child Fatality Review system for New York, implemented statewide in October. ACS Commissioner John Mattingly, Legal Aid Society Director Judy Waksberg and Children's Aid Society Emily O'Brien discussed data and practice issues related to foster care re-entry. Panel members discussed their work plan for 2010.

### **Western Panel**

#### **MARCH 12, 2010 MEETING**

OCFS Deputy Commissioner Laura Velez provided an overview of the Vera Institute's Report on educational neglect, the roundtable discussion OCFS held on the topic, the Kinship Guardianship Assistance bill included in the Governor's Executive Budget, and the *Ten for 2010* forums planned for the spring. The *Ten for 2010* forums are a direct result of the 2007 panel recommendation calling for a task force to address needed reforms in child welfare. Greg Owens,

OCFS Director of Special Projects, discussed disproportionate minority representation (DMR) initiatives in New York State. He is working with six counties to address disparities in child welfare practice. DMR is also addressed within the juvenile justice reforms. OCFS staff are attending Undoing Racism training.

#### **SEPTEMBER 17, 2010 MEETING**

Judge Paul Buchanan spoke with panel members about the youth who come before his court with truancy and educational neglect issues. A system of care model in Erie County diverts PINS cases from the court to family services teams, resulting in 600 fewer youth in detention and 10,000 fewer care days, saving the county \$4,000,000. The savings is invested in wrap-around care, therapy, substance abuse treatment and mental health services. Regarding educational neglect reports, he stated that education deficits must be addressed to be successful with these youth and that everything should be done to avoid court involvement. Renee Hallock, OCFS Child and Family Services Review Director, provided an overview of the data packets now used with local departments of social services on their performance improvement plans, highlighting data and practice questions on permanency and recurrence. Panel members discussed development of a work plan and recommendations to bring to the Joint Panel meeting.

#### **NOVEMBER 19, 2010 MEETING**

OCFS Deputy Commissioner Laura Velez provided an overview of the New York City October 29th Child Welfare Forum with an agenda primarily focused on child welfare financing. Funding that is flexible, stable and predictable is most needed to address cross-systems service needs. She addressed challenges for 2011 given the drastic fiscal situation in New York State. OCFS has had to do more with less over the past couple years

and has lost 500 staff. Specific priorities for 2011 include continuation of FAR, changes to educational neglect reporting and addressing disproportionate minority representation. Panel members discussed their work plan for 2011.

## Eastern Panel

### MARCH 19, 2010 MEETING

OCFS Deputy Commissioner Laura Velez provided an overview of the Vera Institute's Report on educational neglect, the roundtable discussion OCFS held on the topic, the Kinship Guardianship Assistance bill included in the Governor's Executive Budget, and the *Ten for 2010* forums planned for the spring. Velez emphasized the need to work closely with the State Department of Education in addressing educational neglect. Vera has one more report to complete for OCFS. The *Ten for 2010* forums are a direct result of the 2007 Panel recommendation calling for a Task Force to address needed reforms in child welfare. Gail Haulenbeek, OCFS Director of the Bureau of Program Monitoring, discussed OCFS's proposal to the Northeast and Caribbean Child Welfare Improvement Center to build a system of sustainable supports for child welfare supervisors.

### SEPTEMBER 9, 2010 MEETING

OCFS Children and Family Services Review Director, Renee Hallock, presented the data packets OCFS is using with local departments of social services to improve practice related to the county's performance improvement plans and the state's CFSR. Ms. Hallock also provided an overview of the OCFS Response to the Panels' 2009 Annual Report and Recommendations. Panel members discussed a work plan for 2011 and recommendations to bring to the joint panel meeting for inclusion in the 2010 Annual Report.

### NOVEMBER 12, 2010 MEETING

Panel members met to review and discuss data from the New York State Child and Family Services Review Program Improvement Safety and Permanency Data Guide, Spring 2010, as part of their exploration of the child welfare system and family preservation. Panel members toured the Northeast Parent & Child Society's Children's Center.

## Joint Panel Meetings

### JUNE 4, 2010 MEETING

Members of the three New York State Citizen Review Panels met to discuss their work and accomplishments over the past ten years and to plan and develop strategies for working together in the future. They discussed and approved goals and objectives for their work and developed rules for decision making. They approved changes to their operating guidelines.

### OCTOBER 7, 2010 MEETING

Members of the three New York State Citizen Review Panels met to discuss their 2010 Annual Report and Recommendations. Bill Gettman, OCFS Executive Deputy Commissioner, and Laura Velez, OCFS Deputy Commissioner for the Division of Child Welfare and Community Service, provided an overview of OCFS' priorities and updates on various initiatives. Panel members approved recommendations for their report and discussed language and content for those recommendations.



## Endnotes

- <sup>1</sup> Strengthening Families Program (2010). Retrieved from: <http://www.strengtheningfamiliesprogram.org/>.
- <sup>2</sup> *New York State Citizen Review Panels for Child Protective Services 2009 Annual Report and Recommendations.*
- <sup>3</sup> *New York State Citizen Review Panels for Child Protective Services 2008 Annual Report and Recommendations.*
- <sup>4</sup> New York State Office of Children and Family Services (2006). *Final Report to Legislature Child Welfare Financing*, p. 2.
- <sup>5</sup> OCFS (2010). *New York State Child and Family Services Review (CFSR) Program Improvement: Safety and Permanency Data Guide.*
- <sup>6</sup> OCFS (2010).
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**FEDERAL LAW AND THE CITIZEN REVIEW  
PANELS**

The 1996 amendments to the federal Child Abuse Prevention and Treatment Act (CAPTA) mandate that states receiving federal funding under that legislation create volunteer Citizen Review Panels. The purpose of these panels is to assess whether state and local agencies are effectively carrying out their child protection responsibilities. The federal statute broadly defines the work of the Citizen Review Panels.

The panels must meet not less than once every three months and produce an annual public report containing a summary of their activities and recommendations to improve the child protection system at the state and local levels. They must evaluate the extent to which the state is fulfilling its child protective responsibilities under its CAPTA State Plan by:

1. Examining the policies, procedures, and practices of state and local agencies.
2. Reviewing specific cases, when warranted.
3. Reviewing other matters the panel may consider important to child protection, consistent with Section 106(c) (A) (iii) of CAPTA.

Following the order of federal CAPTA Amendments of 1996, the New York State Legislature passed Chapter 136 of the Laws of 1999, setting up no less than three Citizen Review Panels, with at least one in New York City. The other panels are in Eastern and Western New York.

Each panel has up to thirteen members; the Governor appoints seven, with the Senate President and Assembly Speaker appointing three each.

For further information please visit the panels' website at [www.citizenreviewpanelsny.org](http://www.citizenreviewpanelsny.org) or contact:

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