

## MINUTES

Braam Oversight Panel  
SeaTac Red Lion, Rainier Room  
SeaTac, WA  
March 23, 2009

**Panel Members:** John Landsverk (Chair), Jan McCarthy, Jeanine Long, Dorothy Roberts, Jess McDonald

**Panel staff:** Carrie Whitaker

**Plaintiffs' Attorneys:** Casey Trupin, Bryn Martyna, Tim Farris, Bill Grimm, Erin Shea McCann

**Attorney General's Office:** Steve Hassett, Carrie Hoon

**DSHS Staff:** Randy Hart, Deborah Purce, Chris Robinson, Debbie Willis, Robin McIlvaine, Lee Doran, Robert Nelson, Jessica Pierce, Barb Putnam, Brenda Villereal, Lyn Payton, Nancy Sutton, Sherry Hill.

**Others:** Beth Canfield, Paul Cavanaugh, Jim Theofelis, Erin Perisho, Dean Perisho, Lea Stillwaugh, Cheryl Mitchell, Kenneth Mitchell, Mary Meinig.

Note: The minutes are a general summary of discussion and do not attempt to document every comment. The minutes are supplemented by the attached power point presentations made during the meeting.

### Introduction

John Landsverk, Braam Panel chair, called the meeting to order at 1:07 p.m. He noted that the Panel had published its sixth Monitoring Report the previous week, and would provide an overview of the data and findings later in the afternoon.

### Children's Administration (CA) Update

Randy Hart, interim assistant secretary of Children's Administration, presented an update on recent Children's Administration activities (*see CA general power point presentation, slides 1-3*).

Randy noted that the governor's office is working on the selection process for a permanent DSHS secretary and Children's Administration Assistant Secretary. He also stated that in January, the hiring freeze for non-case carrying workers had lapsed, but it had since been reinstated. CA is still able to fill direct service positions, and turnover has decreased with the recent economic problems.

Randy noted that the budget proposed by the Governor in December 2008 had included \$36 million in cuts to Children's Administration, but had added \$48 million for projected increases in the number of children and families served. However, since the time of the Governor's proposal, new revenue forecasts have predicted an even wider budget gap-- \$9 billion for the next biennium. Legislative budget proposals have not yet been released, but are expected within a week. The legislative session is scheduled to end during the last week in April. A non-balanced budget and/or tax increases may be considered.

John Landsverk asked how entries to care are forecasted. Randy noted that the caseload forecast council has sophisticated tools to project service needs, but that a correlation between a bad economy and increased entries to care cannot be assumed. He stated that if entries increase beyond the forecasted level during 2009, CA will need to ask for additional funds through the supplemental budget in January 2010.

Bill Grimm asked about the impact of the 6.1% increase in federal matching dollars for Title IV-E and Medicaid provided under the recent federal stimulus package. Randy noted that these funds have been factored into budget projections by the DSHS and Governor's budget staff, but that the ballooning state deficit has outpaced what will be received with the enhanced federal match.

### **Plaintiffs' comments**

Casey Trupin agreed that the budget issues are a top concern. He indicated that when legislative budget proposals are released, plaintiffs' attorneys will provide analysis to stakeholders. He indicated that areas of concern in the Governor's budget were decreased support for youth aging out of foster care, and cuts to behavioral rehabilitation services (BRS) contracts.

Casey noted that plaintiffs' attorneys had distributed an analysis of Braam data trends to stakeholders the previous week. He noted that there were many positive trends, as well as areas of concern, such as placement of sibling groups. Casey indicated that plaintiffs have appreciated the opportunity to work more closely with CA over the past several months.

With respect to legislative issues, Casey noted that they were concerned by decreased support for youth aging out of foster care. While plaintiffs have not taken a position on the privatization bill, they believe this type of change would have significant impacts on the Braam process. Casey also noted that the recent federal legislation (Fostering Connections to Success and Increasing Adoptions Act of 2008) creates opportunities, particularly with respect to support for youth leaving foster care.

### **FamLink**

Dawn Tatman, CA's Director of Technology Services, provided an update on FamLink, which was launched on February 1, 2009.

Dawn noted that the FamLink transition had led to many challenges, just as one would expect when converting 20 years worth of data. She noted a lot of progress since the launch of the FamLink, but continued challenges. During the first 3 weeks that FamLink was in place, staff had worked hard to arrange for payments to providers. In February, 97% of payments were done through the new system (remaining payments were handled manually or separately).

Dawn noted that Lee Doran had joined the FamLink team in December 2008, and that his work in ensuring CA would be able to meet reporting requirements was invaluable. She noted that the data warehouse had been built. The FamLink team is working on release 2, which will include enhanced financial components, additional interfaces, and reporting mechanisms.

John Landsverk asked whether there are any Braam data issues that are sensitive to the conversion. Chris Robinson replied that all reporting is affected by the new system. She noted that it is necessary to wait a few months for transition issues to be worked out before data can be considered reliable. Chris pointed out that caseload data had shown improvement, which she felt reflected actual improvements as well as cleaner data. Dawn Tatman noted that the transition from CAMIS (a child-based and event-based system) to FamLink (a family-based and episode-based system), represent significant changes.

Dawn Tatman noted that she has been involved in the conversion of SACWIS systems in 8 states, and that her experience has been that it takes about 3-6 months to work out transition issues. Staff needs time to adapt and learn the system. John Landsverk noted that this should allow useful data in time for the Panel's monitoring report in summer 2009. Carrie Whitaker clarified that the next monitoring report would rely primarily on foster parent survey data, and that the next round of administrative data (covering FY09) would be due later in the year.

John Landsverk noted that when San Diego had converted its data system, researchers had felt that there were approximately 4 months of data that could not be trusted. Dawn agreed that there could be a similar period with FamLink, but she noted that CA was still required to report on the entire period for federal and other measures. John stated that the Panel had appreciated the frequent updates and transparency on the transition issues from Chris Robinson, and that he was aware that the next round of administrative data provided by the Department may include some questions and caveats.

Jess McDonald asked whether monthly contact data would continue to be available. CA replied that it would be, but that because staff is still learning to use the new data fields, there may be a period during which these data are less reliable.

#### **CHET**

Barb Putnam, CA's well-being supervisor, provided an update on CHET issues (*see CA general power point presentation, slides 5-8*).

Barb noted that as of Feb. 2, 2009, the definition approved by the Panel of a "complete" CHET and new documentation requirements were in place. There have been problems with the new standalone database that was expected to be launched along with FamLink, and it is hoped that these problems will be resolved and the database in place by the end of March. At that time, workers will enter data retroactive to Feb. 2, so that CHET data based on the new requirements will be available back to that date. As soon as the new database is launched, supervisors will have an additional tool to manage and follow up on CHET screens, including the ability to review requests for educational and medical records.

Bill Grimm asked whether the new CHET database will be separate from FamLink. Chris Robinson confirmed that it would be, but that it will receive data downloads from FamLink. CA did not want to incorporate the database into FamLink until they are certain that no additional design changes will be requested.

Jeanine Long noted that the Panel had sent questions to CA regarding the CHET quality review tool. Barb Putnam noted that this tool is not used to measure and provide data about the CHET completion rate. Rather, it is used by supervisors in a sample of 10% of the cases to monitor the quality of the CHET screens. She noted that the "NA" on the CHET review tool means "not applicable," and denotes a section of the CHET screen that does not have to be completed, e.g., in the mental health section if a child is already receiving mental health services, or in the developmental screening section for an older youth for whom those screens are not needed or appropriate. She also noted that screeners are expected to "do what it takes" to obtain records and information, not just make 2 requests for information and move on.

Thus, once the database is launched, there will be two processes available to CA to monitor CHET – 1) the standalone database which monitors timeframes for completion of the CHET, and 2) the quality review tool which monitors quality in a sample of the CHET screens.

Bill Grimm asked whether CHET screeners are impacted by the hiring freeze. Brenda Villereal, CHET supervisor, indicated that they are not, because they provide direct services that would otherwise need to be done by a case-carrying worker.

John Landsverk asked whether there has been any feedback on the PSC-17, the tool selected to replace the Child Behavioral Checklist (CBCL) for mental health screening. Brenda stated that so far there has been a positive response to the new tool.

Jess McDonald asked for examples of what strategies are being used at the regional level to improve timely completion of CHET screens. Brenda said that one example is that CHET screeners often go to schools to retrieve school records. Chris Robinson indicated that a lot of the work at the regional level involves building relationship with schools, medical professionals, and others from whom CA needs information. Jess observed that regional performance on this measure has varied widely. Chris noted that the number of staff devoted to CHET screening is small, so that any staff turnover or personnel issues can have a significant impact on performance at the regional level.

Barb Putnam noted that the Panel had asked for an update on CA's agreements with local school districts. She indicated CA is still working on these, and that there are currently 140 interagency agreements with school districts in Washington. This includes 91% of districts with 100 or more foster children, 80% of districts with 50 or more foster children, and 67% of districts with 10 or more students in foster care.

### **Monitoring Report #6**

Carrie Whitaker, Braam Panel staff, provided a presentation on the Panel's recent March 2009 Monitoring Report #6 (*see Monitoring Report #6 power point presentation*).

The presentation provided an overview of findings with respect to action steps and outcomes. In addition, the presentation looked at performance on outcomes relative to benchmarks, performance relative to the previous year, and regional variation in outcome performance.

There was additional discussion of the portion of the presentation related to regional variation in performance. Casey Trupin suggested that an alternative way to analyze regional performance would be to look at all outcomes within an area of the settlement agreement (e.g. placement stability, mental health, etc.) to see whether there are patterns at that level.

Chris Robinson noted that the Department has conducted analysis of data at both the county and regional level, for Braam as well as federal outcome measures. Randy noted that just as there is variation across regions, there is also variation among the offices within each region. Improving performance at the state level requires improving performance office-by-office.

Chris Robinson noted that both Braam outcomes for which the Department had met a statewide benchmark but had been found out of compliance due to regional variation (1. health and education plans in ISSP, 2. median number of days on runaway status) had very small sample sizes. She noted that this could lead to a high degree of variability based on just a couple of cases.

John Landsverk noted that the Panel had considered inviting regional leaders to a Panel meeting to discuss data issues. Jeanine Long noted that the Panel would like to hear from regions about the measures on which they have been successful. Chris Robinson stated that she would work with Panel staff to consider this possibility for a future meeting. Casey Trupin agreed that this would be very useful.

Randy Hart noted that CA is having a regional administrator attend each Braam meeting. He introduced Nancy Sutton, administrator for Region 5. Chris Robinson noted that Lyn Peyton, children's mental health coordinator in Pierce County, was also attending the meeting.

### **Selected Outcomes**

Children's Administration presented data analysis and an update on efforts to improve performance on several outcomes selected prior to the meeting:

- siblings placed together;
- runaways; and
- educational stability.

*Siblings placed together (see CA power point presentation, slides 10-18).*

Chris Robinson noted that there had been small but consistent declines in performance on the two outcomes related to whether or not siblings are placed together. Given that there has been no practice or policy change that is directly related to this issue, it has not been immediately apparent why.

Chris noted that the definition of a sibling may be somewhat complicated. Half siblings, step siblings, and even cousins or children living only briefly in the same household could be counted in the data as siblings. Lee Doran stated that FamLink will have more detail than CAMIS about relationships, but it will not be able to provide this level of clarity.

Chris Robinson and Steve Hassett noted that one possible explanation for the decline in performance on siblings placed together may be that recent changes in statute, policy and practice have led the Department to place more and more children with relatives and,

increasingly, with paternal relatives. While in some cases this may mean that siblings are more likely to be placed together, it is possible that half- or step- siblings may be separated, as they do not share all the same relatives. For example, if siblings with the same mother but different fathers are placed with paternal relatives, they could be separated, even though the fact that they are placed with kin is desirable.

CA also looked at the age of children entering care, and has observed significantly more infants entering care over the past several years. Infants are placed with siblings less often than are older children as they are placed in homes that specialize in caring for infants.

Tim Farris commented that these definitional and demographic issues are unlikely to account for the 40% of children in care who are not placed with all of their siblings. Chris Robinson noted that there are many reasons entire siblings groups cannot be placed together, including situations in which siblings have different special needs. John Landsverk noted that the benchmark requirements for the percentage of children placed with all of their siblings are slightly lower than for some other outcomes in order to account for these issues.

Randy Hart noted that the measure looks at whether siblings are placed together at the time they enter out-of-home care, but there will be situations in which children are initially placed apart and are later moved to be together when an appropriate placement resource becomes available. However, Chris Robinson noted that data suggests that there are a similar number of cases in which the opposite occurs.

Chris Robinson noted that the Department's efforts in the areas of solution-based casework, increased kinship placement, and Family Team Decision Making (FTDM) are expected to improve CA's ability to keep siblings together. However, she noted that it is difficult to know from the data *why* sibling groups are separated; as a result, the Department will be adding questions on this issue to the foster parent survey this year.

Chris also proposed that children placed with relatives be automatically considered in compliance on this measure, since this is a desirable outcome for these youth. Steve noted that there are legal demands requiring the Department to make efforts to place children with kin and with siblings, and there may be times when these conflict. Bill Grimm stated that sibling and kinship issues should be considered separately.

Casey Trupin observed that there was significant regional variation on these measures. Chris Robinson noted that Region 1 had shown substantial improvement on these measures over the past few years, but they had not been able to identify why.

*Runaways (see CA power point presentation, slides 19-24).*

Chris Robinson noted that there had been improvements both in decreasing the percentage of children running away and reducing the median length of time on runaway status. For the latter of these two measures, performance in FY08 had met the statewide benchmark, but the Department was found out of compliance due to regional variation. Chris pointed out that the number of children included in this measure at the regional level is quite small, so that regional data are subject to great volatility. She noted that if this measure is examined for a different 12-month period, performance at the regional level looks very different, and the Department would have been found in compliance.

Chris suggested that because of the small numbers of children in each region who run away, the rule for regional variation should not be applied to this measure. John Landsverk disagreed. He suggested that a "moving average" could be used to address the concern about the volatility of these data.

CA's presentation included an analysis of runaway data from 2005-2006, including ages of children who ran, the point during a placement episode when runs are more likely to occur, and analysis by race/ ethnicity.

Bryn Martyna asked whether the Department had information on where youth go when they run away. Lee Doran said that no data are captured on this question; the best insight into this question can be found in research from Illinois.

Jess McDonald asked about runaway behavior by type of placement, and whether this has an impact on regional performance. Randy Hart noted that the largest number of congregate care facilities are in King County (Region 4) and the Spokane area (Region 1). Chris noted that these data would show these children in the region from which they had been originally placed, even if they are in group care in another region.

Jan McCarthy asked about the runaway policy changes implemented a couple of years ago. Chris Robinson noted that there is no way to track the implementation of this policy, but that its requirements for team meetings and frequent follow-up when youth run away may be among the reasons for improvement on these measures.

Casey Trupin noted that the improvement on these measures over the past few years has been significant. He commented that the regional variability on this measure may reveal a need for additional resources in certain regions.

The Panel discussed the need for further analysis about why children and youth are running away and also the number of youth who are on runaway status at any given point in time.

*Educational stability (see CA power point presentation, slides 25-38)*

Lee Doran presented data and analysis on the outcome related to educational stability. The presentation provided details of findings based on a match between CA and Office of the Superintendent of Public Instruction (OSPI) data, and shows the proportion of children who changed schools when they entered care or changed placements. This figure was found to be higher for children involved in institutional school settings.

Jess McDonald asked whether funding is available to support a child's transportation to his/her home school. Chris Robinson noted that CA will reimburse foster parents who are able to drive children to their schools of origin. In addition, some districts use McKinney Vento funding for foster children. Casey Trupin noted that federal law does not clearly state that foster children must be covered by McKinney Vento, and there is unfortunately no requirement in Washington on this issue either. Therefore, school districts interpret this differently.

Chris Robinson noted that, despite the limitations on transportation funding, performance on the school stability measure was better than had been expected, and was far better than the benchmark requirement for FY08. Randy Hart noted that educational issues are discussed throughout the placement process, and that staff, foster parents and relatives all understand the importance of this issue.

Bill Grimm reiterated plaintiffs' request that in order to provide context, the outcome data for all Braam measures include the number of children, rather than just percentages, being affected.

### **Public Comment**

A foster parent from Region 2 stated that she had become interested in the Braam agreement after being very upset by an experience in her region. She described the issues involved in her case, and stated that 5 foster children who had been in her care for several years had been removed from her home based on an allegation that was then proven false. Despite this, and despite the fact that this was a pre-adoptive placement, the children were not returned to her home. She described other details of the situation, and stated that the 5 siblings are no longer living in one home and have not been able to have contact with the former foster parents. She indicated that she did not feel that the regional leadership or the ombudsman's office had been fair or helpful.

John Landsverk indicated that he appreciated her coming to the Panel meeting, and he noted that the Panel does not get involved in investigating or intervening in specific cases. He noted that there were, however, people in the room who could respond. Chris Robinson indicated that she would take the foster parent's name and contact information, and would look into the situation. Mary Meinig of the ombudsman's office agreed to do the same.

A community member and friend of the Region 2 foster parent noted that she had become interested in Braam because of this case. She expressed concern that all data in the Braam monitoring process is based on social worker reports. She stated that in the case she has been involved with, she believes that social workers have made false statements, which leads her to be suspicious of data that is entered by social workers.

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**Panel staff:** Carrie Whitaker

**Plaintiffs' Attorneys:** Casey Trupin, Bryn Martyna, Tim Farris, Bill Grimm, Erin Shea McCann

**Attorney General's Office:** Carrie Hoon

**DSHS Staff:** Deborah Purce, Chris Robinson, Debbie Willis, Marianne Ozmun, Lee Doran, Brab Putnam, Robert Nelson, Lyn Payton, Nancy Sutton.

**Others:** Paul Cavanaugh, Erin Perisho, Dean Perisho, Lea Stillwaugh, Cheryl Mitchell, Kenneth Mitchell, Susan Maney.

John Landsverk called the meeting to order at 9:00am.

### **DLR/ CPS investigations**

John Landsverk noted that the Panel and parties need to discuss measurement of the Braam outcome related to investigations of abuse/ neglect while children are in licensed placements. A case review has been conducted to measure the thoroughness of these investigations, and the Department has provided reports on this issue. However, the outcome also requires that investigations be conducted according to CA policy timelines, and the Panel and parties have not determined how to factor those issues into the compliance measure for this outcome.

John noted that there are different issues related to policy timelines—the timeframe for the initiation of the investigation (i.e. 24 or 72 hours) and the timeframe for closing the investigation (90 days under state law). John noted that the Department had proposed that the timeframe for initiating the investigation should be used, because there is evidence that it is linked to child safety. In the Panel's initial discussions, they had been convinced by this argument.

Bill Grimm replied that both of these elements of timeliness are important. He stated that children and foster parents are in limbo as long as the investigation is open, and that children may not be able to be in a placement they have been in for years while the investigation is ongoing.

Chris Robinson pointed out that this outcome is in the safety section of the Braam agreement (not, for example, the foster parent support area), and that she is not aware of any evidence linking the completion of the investigation to child safety. Bill Grimm stated that this section of the Braam agreement relates also to the appropriateness of a placement, and that leaving a child hanging while the investigation is happening means they may be in a less appropriate placement. Chris stated that most of the time, children are not removed from their foster homes while the investigation is conducted unless there is evidence of risk from the start. Bill Grimm stated that he would like to see data confirming this.

Jan McCarthy said that she feels that the case review does a good job of looking at the thoroughness of the investigation and issues related to documentation. However, she indicated that she was growing more persuaded the timeframe for both initiating and completing an investigation are important.

Chris Robinson noted that there are practical concerns with incorporating this into the measure, including the difficulty of adding new questions to the case review database. She also noted that there are legitimate exceptions to the 90-day requirement for completing these investigations, such as when CA is coordinating with local law enforcement. These exceptions are not flagged in CA's data, but they should be counted as legitimate for compliance purposes. Chris stated that she agrees that timely resolution of investigations is important, but she reiterated that she had never seen any link between this issue and child outcomes of any kind.

Bill Grimm pointed out that by creating a timeline for closing an investigation in state statute, the legislature has judged this to be important. Dorothy Roberts said that the fact that the requirement is already in law and would not be a new expectation imposed by this outcome means that it should not be problematic to monitor. Jeanine Long and Jan McCarthy noted that exceptions to policy allowed under the statute should be considered to be compliant for the purposes of this outcome. Chris Robinson noted that this would require manually reviewing each case to see whether these exceptions apply. Jeanine Long stated that she thought that the Department should be tracking this, and Chris noted that the statutory requirement was passed after the design of FamLink.

Panel members discussed the issue, and concluded that the outcome should look at both the timeliness of the initiation of the investigation AND its completion. Exceptions that are allowed under state law would be considered compliant. Given that these exceptions are allowed, Panel members agreed that the current benchmark of 100% should remain. The group clarified that the measures of timeliness should be looked at for only the sample of cases reviewed by the case review team.

Chris Robinson agreed to work with the case review team to incorporate these questions in next year's review.

### **Racial Disproportionality Committee**

Deborah Purce, Executive Staff Director at Children's Administration, gave a presentation on the statewide racial disproportionality committee's plan for remediating disproportionality in child welfare (*see CA's racial disproportionality power point presentation*).

The presentation reviewed the goals, membership, and work to date of the racial disproportionality committee. Deborah discussed the committee's extensive community outreach efforts over the past year. She noted that the group felt strongly that the work to address disproportionality can't be perceived as just a government effort or an Olympia effort, but rather the work of communities and stakeholders across the state.

Deborah discussed the 10 initiatives included in the committee's recommendations for remediation (*see additional detail in racial disproportionality power point presentation*):

1. Structured Decision Making (SDM)
2. Family Team Decision Making (FTDM)
3. Kinship care

4. Compliance with Indian Child Welfare Act (ICWA)
5. Consideration of state Indian Child Welfare Act
6. Expand cultural competency and anti-racism training
7. Mandated reporter training
8. Assessment of Children's Administration and child-placing agencies
9. Racial equity impact analysis tool
10. In-home community-based services

Deborah explained that many of these initiatives build upon existing efforts at Children's Administration. She also noted that regional efforts to analyze data and address issues of disproportionality continue. Deborah stated that the committee must report to the legislature in January 2010 on progress in reducing racial disproportionality. The committee is working with DSHS's performance planning and accountability unit to develop measures to gauge progress. Deborah noted that there is proposed legislation that would eliminate this committee, but that DSHS had adopted this work and would continue these efforts even if the legislative mandate is eliminated.

John Landsverk noted that the committee's focus on referrals, removals, and length of stay made the work quite different from the Braam Panel's efforts. Dorothy Roberts agreed, but noted that several Braam outcomes, such as placement stability, are correlated to length of stay.

Bill Grimm noted that length of stay in foster care is an important issue, and asked about the state's plans related to the provision in the recent federal legislation (Fostering Connections to Success and Increasing Adoptions Act of 2008), which allows federal title IV-E matching funds for guardianships for licensed caregivers. Chris Robinson noted that unlike many other states, Washington has had subsidized guardianship since 1977, and it is available regardless of the licensure status of the home. She indicated that the state is waiting until the federal rules related to the new guardianship option have been published to decide how to proceed, and she said that the state would of course try to capture IVE funding wherever possible. Bill Grimm expressed concern that the state was not moving more aggressively to exercise this option; he noted that legislatures in other states are working on this issue during the current session. Chris noted that since this state has long had a guardianship option, it is not expected to have such a large impact. No legislative action would be needed to exercise the federal option.

John Landsverk asked the group to return to the racial disproportionality discussion. He noted that the Panel has received data by race/ ethnicity for a handful of Braam outcomes, and is working to identify what additional data will be required. He reiterated that it seems like the work of the racial disproportionality committee, with its focus on referrals, removals from home and length of stay, is quite different from the Braam outcomes, which pertain largely to services while children are in foster care.

Deborah Purce replied that the committee considers the current plan its *first* remediation plan, and is interested in looking at services to children in foster care in the future. Dorothy Roberts noted that the Panel is struggling with the issue of whether issues related to reducing disparity by race/ ethnicity should be converted to actual compliance measures under Braam. Deborah Purce noted that the Department would be concerned with having related but competing

benchmarks from multiple sources, and suggested that the Panel may wish to be involved in the measurement discussion with the racial disproportionality committee.

John asked whether the racial disproportionality committee would be interested in receiving copies of data reports related to race/ ethnicity created for Braam purposes, and Deborah stated that they would be. John then asked whether the racial disproportionality committee would have concerns if the Braam Panel moved ahead on its own with creating outcome requirements related to reducing racial disproportionality on Braam measures. Deborah stated that this would raise concerns within the committee, because the committee has worked hard to collaborate with many groups and bring together many disparate efforts related to these issues. Deborah suggested that the Panel appoint a liaison to the racial disproportionality committee.

John Landsverk asked whether plaintiffs' attorneys had comments or questions on these issues; they did not.

Chris Robinson noted that if the Panel is considering creating compliance requirements based on race/ ethnicity, attention should be given to the number of children of a given race or ethnicity for each measure and/ or region. When the number of children is very small, the data are highly volatile.

Dorothy Roberts asked for information on disproportionality at the point of entry to foster care, and asked about a comment in the WSIPP racial disproportionality report that indicated that about 40% of children entering care do so without a substantiated report of abuse or neglect. Chris Robinson noted that, unlike other states, children in Washington can be placed based on imminent risk, even without an abuse/ neglect finding. For example, if a child is placed from the hospital due to effects of drugs, other states would make a neglect finding in order to place the child, even though the child hasn't actually been neglected yet; in Washington, the child could be placed based on imminent risk of harm. Dorothy suggested that the racial disproportionality committee should look at whether there is disparity among racial/ ethnic groups in the use of this mechanism to place children in foster care. John Landsverk noted that this is outside the purview of the Panel. Deborah indicated that she would treat these comments as stakeholder input, and pass them along to the racial disproportionality committee.

### **Monthly visits**

Chris Robinson presented an update on the Department's monthly visit requirement (*see CA power point presentation, slides 39-41*). The presentation included data on the percentage of children receiving a monthly visit during each month since the policy was implemented in September 2008, as well as an update on strategies to increase the number of monthly visits.

Chris noted that the Panel's request for a quality assurance process to ensure monthly visits are conducted remains a sticking point. She noted that supervisors now receive reports from FamLink on whether monthly visits have been made, and are expected to review this in monthly supervision. Her understanding is that the Panel is requesting that the supervisor pull up each and every case in FamLink with the worker during monthly supervision and ask specific questions about each visit, which CA estimates would take a full day of supervisors' time. Instead, CA had proposed a plan that would bolster the checks and balances on monthly visits by providing an avenue for caregivers, CASAs, and others to raise concerns about visits. However, the Panel had found it unacceptable.

Jess McDonald stated that formal one-to-one supervision with a monthly discussion of each case is standard practice in the child welfare field and is consistent with COA requirements. He stated that FamLink should facilitate this type of review. Chris Robinson stated that CA supervisors *do* sit with workers and review cases on a monthly basis, but it is not standard for them to review the documentation of each case on the computer. John Landsverk stated that the Panel expects supervisors to be able to attest to the fact that the monthly visits have been made. Jess McDonald noted that the Panel could require external reviews/ audits of this issue, and the willingness to rely on supervisory reviews should actually be much easier for the agency.

Chris reiterated that supervisors do get reports on monthly visits and do meet with workers monthly, but it is not their practice to quiz workers on visits. Jan McCarthy asked the other Panel members whether they are expecting the supervisor to pull up FamLink documentation on each case. Jess McDonald replied that FamLink should make this process easy, and in some systems it is necessary for supervisors to review paper records. John Landsverk stated that he felt that requiring that the supervisor review the case documentation in FamLink would be micromanaging, and that what the Panel is simply asking is that the supervisor discuss the case in order to attest that visits were made. The Panel expects that supervisors are able to confirm, through contact with each social worker, that the monthly visits reported in FamLink actually occurred.

Chris Robinson expressed confusion over what seemed to be conflicting statements from the Panel members as to whether a review of FamLink documentation is required, or whether case discussion is sufficient. She indicated that she would work with CA's management team to come up with a clear proposal that met what she understands to be the Panel's expectations.

Casey Trupin asked whether the Panel is looking for any reporting on these supervisory reviews. Jan McCarthy replied that they are not, and that the Panel just wants to know there is a process in place to provide an additional check on the data.

### **Caseload size reduction**

Chris Robinson presented an update on the Department's efforts to reduce caseloads (*see CA power point presentation, slides 42-48*). The presentation included data on the percentage of children served by caseworkers with caseloads at or below COA standards during each month since September 2008, as well as an update on strategies to reduce caseloads. Chris noted that as of January 2009, 2/3 of workers have caseloads at or below COA standards.

Jess McDonald asked why Region 5 appears to have lagged behind on this measure. Nancy Sutton, regional administrator in Region 5, discussed several reasons. She noted that the region had struggled with worker retention and turnover, with a vacancy rate of about 13-15% over the past year. However, the vacancy rate had declined to 2% in February 2009, due to the bad economy as well as improvements in the region. She noted that the Tacoma office, previously the largest DCFS office in the state, had been divided into Pierce East and Pierce West offices in October 2008, and that change seemed to be helpful to staff morale.

Chris Robinson noted that the Panel had recently rejected CA's proposed multi-year caseload plan. She stated that she was not sure how this plan could be improved, and that CA had

included every possible strategy, but that the agency needed to operate within the realities of the state budgeting process.

John Landsverk noted that the Panel had rejected the plan for a number of reasons, but the primary issue was that it did not include contingency plans regarding how the Department would handle things like increased entries or budget cuts to other agencies. Jeanine Long noted that the plan included too many caveats.

Casey Trupin stated that the interim targets included in the plan were helpful, but that the caveats in the plan were significant, and some of these challenges noted were almost guaranteed to occur. He said that if the Department was saying that the caseload expectations simply could not be met under certain circumstances, then the plan should state that more clearly, but that the plaintiffs could not agree to the plan as it is, with so many caveats about things that are almost sure to happen (such as budget cuts to partners such as the court system).

John Landsverk noted that, as a general rule, the more caveats included in a CA proposal of any sort, the more concerns it raises with the plaintiffs and Panel. Casey agreed.

Jess McDonald noted that state law allows for contracting for case management with accredited agencies. He suggested that this creates an opportunity for CA to reduce caseloads through expanded contracting arrangements. Chris Robinson noted that for the most part, private agencies in Washington are not willing to take full case management responsibility.

Chris Robinson stated that she understood plaintiffs' and the Panel's reactions to the plan, but that it would be difficult to develop a more specific plan until the state budget has been finalized. She proposed that CA wait until the end of the legislative session when the budget has been signed, and then work with plaintiffs on a plan to be presented at the June Panel meeting.

Bill Grimm returned to the issue of the guardianship option under the federal Fostering Connections Act. Chris Robinson reiterated that since Washington has long had subsidized guardianship, it is unlikely that the new federal option will be a significant tool toward accelerating permanency and reducing caseloads.

Casey stated that he understood the Department's preference to wait until the state budget is finalized, but that it is important to plaintiffs to know whether or not the Department expects to be able to come into compliance in this area.

The group agreed that CA should submit a written response on this issue.

## **Updates**

### *Foster Parent Survey*

Carrie Whitaker, Panel staff, noted that a group involving Carrie, CA, plaintiffs, and John Tarnai had been working to develop the 2009 survey. The draft has been circulated to the Panel. The group agreed that any remaining comments should be submitted by April 1, 2009.

Chris Robinson noted that the survey would focus on the period between July and December 2008, and that the group planned to move to quarterly surveys. John Landsverk stated that the Panel is supportive of this approach.

#### *Education data*

Carrie Whitaker noted that a group involving Carrie, CA and plaintiffs had met to discuss education data, particularly as it relates to the action step requiring data on attendance, truancies, suspensions and expulsions. The group had agreed to wait until the FamLink education screens have been finalized, and the next WSIPP report on educational outcomes for foster youth has been completed. These are expected to take place by June. In the meantime, Chris Robinson indicated that she would keep Carrie and plaintiffs' counsel in the loop about the design of the education section of FamLink.

#### *Juvenile detention*

Chris Robinson noted that the Department had attempted to gather data on the number of youth involved in juvenile detention by looking at data from the schools at these facilities, but that they had learned that these schools often serve youth who are not actually placed at these facilities. Therefore, obtaining better data in this area will require a data sharing agreement with the Administrative Office of the Courts. This data sharing agreement will be developed later in the spring or summer. Once data are available, the group will work with national experts to discuss whether the data raise concerns. Chris Robinson noted that this is an area in which the Department feels it has made strides, with huge decreases in the number of children placed in detention facilities over the past 10 years.

### **Public Comments**

A foster parent from Region 2 raised several questions related to the meeting discussion:

- She asked how often CASA are required to visit children. Casey Trupin replied that there is no specific requirement, but that recent legislation requires them to present the views of the children they serve to the Court. He noted that this is not a CA responsibility, and is funded at the county level. Programs may differ greatly by county.
- She asked whether there is a policy allowing for phone calls or visits with the former caregiver when a child is removed from a foster home. Chris Robinson replied that there is no standard policy on this; it depends on the details of the case including the allegations leading to the removal, the child's preference, court issues, the length of time the child was in the foster home, etc.
- She commended the idea of a foster parent survey and noted that foster parents care for children 24 hours a day, 7 days a week, and they are not asked for their views often enough. John Landsverk noted that this is the third year for the foster parent survey. A random sample of foster parents across the state is surveyed for views on a wide variety of topics.

A community member from Region 2 asked how the Panel is assessing whether an investigation of abuse/ neglect for a child in a licensed placement is thorough, timely and well-documented. John Landsverk clarified that a case review on a sample of cases is conducted, and uses detailed criteria regarding what constitutes a thorough investigation.

Beth Canfield, Foster Parent Association of Washington State (FPAWS) expressed concern about recent budget cuts, including the elimination of the secure crisis residential center (CRC) in

Pierce County, as well as other crisis services. She predicted that this would lead to an increase in detentions.

The meeting was adjourned at 12:30pm.