3

Final Notice of Statewide Data Indicators and National Standards for Child and Family Services Reviews

Executive Summary

October 2014

On October 10, 2014, the Administration for Children and Families (ACF) published a final public notice in the Federal Register of statewide data indicators and national standards that the Children's Bureau will use to determine substantial conformity with titles IV-B and IV-E of the Social Security Act through the Child and Family Services Reviews (CFSRs).

Background

The Children's Bureau (CB) implemented the CFSRs in 2001 in response to a mandate in the Social Security Amendments of 1994. The legislation required the Department of Health and Human Services to issue regulations for the review of state child and family services programs under titles IV-B and IV-E of the Social Security Act (see § 1123A of the Social Security Act). CB uses the required reviews to determine whether such programs are in substantial conformity with title IV-B and IV-E plan requirements. The review process, as regulated at 45 CFR § 1355.31-37, grew out of extensive consultation with interested groups, individuals, and experts in the field of child welfare and related areas.

The CFSRs enable the CB to: (1) ensure conformity with federal child welfare requirements; (2) determine what is actually happening to children and families as they are engaged in child welfare services; and (3) assist states in enhancing their capacity to help children and families achieve positive outcomes. We conduct the reviews in partnership with state child welfare agency staff and other partners and stakeholders involved in the provision of child welfare services. We have structured the reviews to help states identify strengths as well as areas needing improvement within their agencies and programs.

The CB uses the CFSRs to assess state performance on seven outcomes and seven systemic factors. The seven outcomes focus on key items measuring safety, permanency, and well-being. The seven systemic factors focus on key state plan requirements of titles IV-B and IV-E that provide a foundation for child outcomes.[1] If we determine that a state has not achieved substantial conformity in one or more of the areas assessed in the review, the state must develop and implement a program improvement plan within two years addressing the areas of nonconformity. The CB supports the states with technical assistance and monitors implementation of their program improvement plans. We withhold a portion of the state's federal title IV-B and IV-E funds if the state is unable to complete its program improvement plan successfully.

The CB uses national standards for state performance on statewide data indicators to determine whether a state is in substantial conformity with two outcomes. Statewide

[1] See the Quick Reference Items List at http://kt.cfsrportal.org/action.php?kt_path_info=ktcore.actions.document.view&fDocumentId=73093 for a brief summary of the items subject to review in the CFSR.

data indicators are aggregate measures, and we calculate them using administrative data available from a state's submissions to the Adoption and Foster Care Analysis and Reporting System (AFCARS),[2] the National Child Abuse and Neglect Data System (NCANDS),[3] or a CB-approved alternate source for safety-related data. If we determine that a state is not in substantial conformity with a related outcome due to its performance on an indicator, the state must include that indicator in its program improvement plan. The improvement a state must achieve is relative to the state's baseline performance at the beginning of the program improvement plan period.

In an April 23, 2014, Federal Register notice (79 FR 22604), we proposed statewide data indicators and an approach to national standards for the third round of CFSRs that differed from that used for the second round of reviews. In that notice we provided a detailed review of the consultation with the field and information considered in developing the third round of the CFSRs. We reviewed research literature, consulted with an expert panel, considered the availability and quality of data available, and conducted statistical testing to examine relationships between available data and outcomes. During the 30-day public comment period following the notice, we received 52 unique responses from state and local child welfare agencies, national and local advocacy and human services organizations, researchers, and other interested persons. CB reviewed and considered all public comments and questions before making final decisions regarding the statewide data indicators and the methodology.

Summary of Final Statewide Data Indicators and Methods

Most commenters expressed strong support for the proposed statewide data indicators and national standards. We changed two indicators in response to the public comments. We will measure the recurrence of maltreatment instead of repeat reports of maltreatment, as we proposed in the April Federal Register notice. We will also add a new indicator to measure permanency in 12 months for children who have been in foster care for 12 months to 23 months.

Therefore, our final plan is to use two statewide data indicators to measure maltreatment in foster care and recurrence of maltreatment in evaluating Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect. We will use statewide data indicators to measure achievement of permanency in 12 months for children entering foster care, permanency in 12 months for children in foster care for 12 months to 23 months, permanency in 12 months for children in foster care for 24 months or more, re-entry to foster care in 12 months, and placement stability. We will use these five permanency indicators in evaluating Permanency Outcome 1: Children have permanency and stability in their living situations.

A description of each of the seven statewide data indicators, how we will calculate them, our rationale for each indicator, inclusions, and exclusions is provided in the final public notice. We also provide a summary of relevant public comments and responses. The final public notice includes our approach to measuring a state's program improvement

[2] AFCARS collects case-level information from state and Tribal title IV-E agencies on all children in foster care and those who have been adopted with title IV-E agency involvement. Title IV-E agencies must submit AFCARS data to the Children's Bureau twice a year.

[3] NCANDS collects child-level information on every child who receives a response from a child protective services agency due to an allegation of abuse or neglect. States report these data to the Children's Bureau voluntarily. In FFY 2013, all 50 states, the District of Columbia, and Puerto Rico submitted NCANDS data.

on the indicators should the state not meet a national standard. We provide information on how we will share data and information related to state performance as well as data quality issues that may affect the indicators and methods.

Concurrent with the final public notice, the CB issued CFSR Technical Bulletin #8, which provides additional technical information and discussion relevant to the statewide data indicators, national standards, and states' performance on them. The technical bulletin is available on the CB's website at http://www.acf.hhs.gov/programs/cb.

The seven statewide data indicators are described briefly below.

Statewide Data Indicators for CFSR Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect.

Maltreatment in foster care
This indicator is described as: Of all children in foster care during a 12-month period, what is the rate of victimization per day of foster care?

Numerator: Of children in the denominator, the total number of substantiated or indicated reports of maltreatment (by any perpetrator) during a foster care episode within the 12-month period (NCANDS, AFCARS)

Denominator: Of children in foster care during a 12-month period, the total number of days these children were in foster care as of the end of the 12-month period (AFCARS)

We include this indicator to measure whether the state child welfare agency ensures that children do not experience abuse or neglect while in the state's foster care system. The indicator holds states accountable for keeping children safe from harm while under the responsibility of the state, no matter who perpetrates the maltreatment while the child is in foster care.

Recurrence of maltreatment
This indicator is described as: Of all children who were victims of a substantiated or indicated maltreatment report during a 12-month reporting period, what percent were victims of another substantiated or indicated maltreatment report within 12 months of their initial report?

Numerator: The number of children in the denominator who had another substantiated or indicated maltreatment report within 12 months of their initial report (NCANDS)

Denominator: The number of children with at least one substantiated or indicated maltreatment report in a 12-month period (NCANDS)

We include this indicator to measure whether the agency was successful in preventing subsequent maltreatment of a child if the child was the subject of a substantiated or indicated report of maltreatment.

Statewide Data Indicators for CFSR Permanency Outcome 1: Children have permanency and stability in their living situations.

Permanency in 12 months for children entering foster care
This indicator is described as: Of all children who enter foster care in a 12-month period, what percent are discharged to permanency within 12 months of entering foster care? Permanency, for the purposes of this indicator and the other permanency-in-12-months indicators, includes discharges from foster care to reunification with the child's parents or primary caregivers, living with a relative, guardianship, or adoption.

Numerator: The number of children in the denominator who are discharged to permanency within 12 months of entering foster care (AFCARS)

Denominator: The number of children who enter foster care in a 12-month period (AFCARS)

We include this indicator to measure whether the agency reunifies or places children in safe and permanent homes as soon as possible after removal.

Permanency in 12 months for children in foster care 12 to 23 months
This indicator is described as: Of all children in foster care on the first day of a 12-month period who had been in foster care (in that episode) between 12 and 23 months, what percent discharged from foster care to permanency within 12 months of the first day of the period?

Numerator: The number of children in the denominator who discharged from foster care to permanency within 12 months of the first day (AFCARS)

Denominator: The number of children in foster care on the first day of a 12-month period who had been in foster care in that episode between 12 and 23 months (AFCARS)

We include this indicator to measure whether the agency reunifies or places children in safe and permanent homes timely if permanency was not achieved in the first 12 to 23 months of foster care.

Permanency in 12 months for children in foster care for 24 months or longer
This indicator is described as: Of all children in foster care on the first day of a 12-month period who had been in foster care (in that episode) for 24 months or more, what percent discharged to permanency within 12 months of the first day?

Numerator: The number of children in the denominator who are discharged from foster care to permanency within 12 months of the first day (AFCARS)

Denominator: The number of children in foster care on the first day of a 12-month period who had been in foster care in that episode for 24 months or more (AFCARS)

We include this indicator to measure whether the agency continues to ensure permanency for children who have been in foster care for longer periods of time.

Re-entry to foster care in 12 months
This indicator is described as: Of all children who enter foster care in a 12-month period who were discharged within 12 months to reunification, living with a relative, or guardianship, what percent re-enter foster care within 12 months of their discharge?

Numerator: The number of children in the denominator who re-entered foster care within 12 months of their discharge from foster care (AFCARS)

Denominator: The number of children who entered foster care in a 12-month period who discharged within 12 months to reunification, living with a relative, or guardianship (AFCARS)

We include this indicator to measure whether the agency's programs and practice are effective in supporting reunification and other permanency goals so that children do not return to foster care.

Placement stability
This indicator is described as: Of all children who enter foster care in a 12-month period, what is the rate of placement moves per day of foster care?

Numerator: Among children in the denominator, the total number of placement moves during the 12-month period (AFCARS)

Denominator: Among children who enter foster care in a 12-month period, the total number of days these children were in foster care as of the end of the 12-month period (AFCARS)

We include this indicator to measure whether the agency ensures that children who the agency removes from their homes experience stability while they are in foster care.

National Standards and State Performance

The national standard is set at the national observed performance for each of the seven indicators. The following tables show the national standards for each indicator.

National Standards for CFSR R3 Statewide Data Indicators:
Safety Outcome 1

Statewide Data Indicators for Safety Outcome 1	National Standard
Maltreatment in foster care	8.04 victimizations per 100,000 days in foster care
Recurrence of maltreatment	9.0%

National Standards for CFSR R3 Statewide Data Indicators: Permanency Outcome 1

Statewide Data Indicators for Permanency Outcome 1	National Standard
Permanency in 12 months for children entering foster care	40.4%
Permanency in 12 months for children in foster care between 12 and 23 months	43.7%
Permanency in 12 months for children in foster care for 24 months or more	30.3%
Re-entry to foster care in 12 months	8.3%
Placement stability	4.12 moves per 1,000 days in foster care

Calculation of the National Standards

For indicators in which the outcome for a child either occurred or did not occur, the standard is calculated as the number of children in the nation experiencing the outcome divided by the number of children in the nation eligible for and therefore at risk of the outcome. This is the case for the indicators that measure permanency (for all cohorts) in 12 months, re-entry to foster care in 12 months, and recurrence of maltreatment. The result of the calculation is a proportion. We present the standard as a percentage by multiplying the proportion by 100 to show a number that is more easily understood.

For indicators in which the outcome for a child is a count per day in foster care, the standard is calculated as the sum of counts for all children in the nation divided by the sum of days these children were in foster care. This is the case for the indicators for placement stability (moves per days in foster care) and maltreatment in foster care (number of victimizations per days in foster care). The result of the calculation is a rate. We multiply the rates to show more understandable numbers: for placement stability by 1,000 to yield a rate of moves per 1,000 days, and for maltreatment in foster care by 100,000 to give a rate of victimizations per 100,000 days in foster care.

Multi-Level Modeling Approach

State performance on each statewide data indicator will be assessed using a multi-level model appropriate for that indicator. The multi-level model that we employ when assessing each state's performance takes into account: (1) the variation across states in the age distribution of children served for all indicators, and the state's entry rate for select indicators (risk adjustment); (2) the variation across states in the number of children they serve; and (3) the variation across states in child outcomes. The result of this modeling is a performance value that is a more accurate and fair representation of each state's performance than can be obtained by simply using the state's observed performance.

Risk Adjustment

We will risk adjust on child's age for each indicator (depending on the indicator, it is the child's age at entry, exit, or on the first day). We will also risk adjust on the state's foster care entry rate for two indicators: permanency in 12 months for children entering foster care and re-entry to foster care in 12 months. Adjusting on age allows us to control statistically for the fact that children of different ages have different likelihoods of experiencing the outcome, regardless of the quality of care a state provides. Adjusting

on foster care entry rate allows us to account for the fact that states with lower entry rates tend to have children at greater risk for poor outcomes.

After we perform all the calculations in the model, the result will be the state's risk-standardized performance. The risk-standardized performance is the ratio of the number of predicted outcomes over the number of expected outcomes, multiplied by the national observed performance.

State Performance Relative to the National Standards
A state's risk-standardized performance can be compared directly to the national observed performance to determine if the state performed statistically higher or lower than the national observed performance. To make this assessment, the CB calculates approximate 95% interval estimates around each state's risk-standardized performance.

The CB will compare each state's interval estimate to the national observed performance, and assign each state to one of three groups:

- "No different than national observed performance"
- "Higher than national observed performance"
- "Lower than national observed performance"

Whether it is desirable for a state to be higher or lower than the national observed performance depends on the indicator. For the indicators assessing permanency by 12 months for the three cohorts, a higher value is desirable and will be considered to have met the national standard. For the remaining indicators, a lower value is desirable and will be considered to have met the national standard. For all indicators, we will consider states that are "no different than national observed performance" to have met the national standard.

Sources and Data Periods
The datasets used for the national standard calculations depend on the indicator. Some indicators require more data periods than others. For example, the re-entry to foster care in 12 months indicator requires six report periods of AFCARS data. This is because the cohort of children used requires a look at all children who enter foster care over a 12-month period; then they are followed for another 12 months to establish whether they have exited to permanency; then they are followed for a subsequent 12 months after their exit to see if they reenter foster care.

Monitoring Statewide Data Indicators in Program Improvement Plans

The CB will require a state that does not meet the national standard for any indicator to include improvement on that indicator in its program improvement plan. If we are unable to determine a state's performance on an indicator due to data quality issues, we will also require the state to include that indicator in its program improvement plan.

Companion Measures
If a state has a program improvement plan that includes improving on the indicator of "Permanency in 12 months for children entering foster care," the CB's determination of whether the state has improved successfully will take into consideration its performance on the "Re-entry to foster care" indicator as a companion measure. The reverse is also

true. Specifically, the state must not allow performance on the companion measure to fall below a certain level from its baseline performance.

Thresholds are established as the inverse of performance goals. For example, a state must stay below a threshold for the companion "Re-entry to foster care" indicator as well as achieve its goal on the "Permanency in 12 months for children entering foster care" indicator to successfully complete the program improvement plan. If a state must improve on the "Re-entry to foster care" indicator in its program improvement plan, it must not fall below the threshold established for permanency in 12 months for children entering foster care.

Setting Goals and Monitoring Progress

The key components for setting improvement goals and monitoring a state's progress over the course of a program improvement plan involve calculating baselines, setting improvement goals and, when companion measures are included in an improvement plan, also establishing thresholds.

The CB will set the baseline for each statewide data indicator included in a program improvement plan at the state's observed performance on that indicator for the most recent year of available data at the beginning of the program improvement plan. Because the CFSR review schedule is staggered, the applicable year or data periods used in establishing the baseline will vary from state to state.

We will establish improvement factors for program improvement goals and thresholds (if applicable) for the data indicators based on the variability in a state's observed performance in the three most recent years of data. The resulting improvement goal or threshold may be limited or increased for a state based on minimum and maximum levels for improvement that we have set for each indicator. We set the levels such that no states are required to improve by more than the amount of improvement at the 50th percentile, and all states engaged in a program improvement plan are to improve by at least the amount of improvement at the 20th percentile (or 80th percentile, depending on whether higher or lower performance is preferable on the indicator).

The following tables show the minimum or maximum program improvement goals for each indicator.

Improvement Goals for CFSR R3 Statewide Data Indicators: Safety Outcome 1

Statewide Data Indicators for Safety Outcome 1	Minimum	Maximum
Maltreatment in foster care	0.922	0.849
Recurrence of maltreatment	0.953	0.910

Improvement Goals for CFSR R3 Statewide Data Indicators: Permanency Outcome 1

Statewide Data Indicators for Permanency Outcome 1	Minimum	Maximum
Permanency in 12 months for children entering foster care		
Permanency in 12 months for children entering foster care	1.035	1.057
Permanency in 12 months for children in foster care 12 to 23 months	1.040	1.074
Permanency in 12 months for children in foster care 24 months or more	1.034	1.080
Re-entry to foster care in 12 months	0.912	0.867
Placement stability	0.953	0.912

Successful Completion of Program Improvement Plans

A state can complete its program improvement plan successfully with regard to the indicators in one of two ways: (1) the state can meet its improvement goal and not exceed the threshold for its companion measure, if applicable, at some point before the end of the program improvement monitoring; or (2) the CB can relieve the state of any further obligation to improve for CFSR purposes if the state meets the national standard for an indicator before the CB approves a program improvement plan or during the course of program improvement monitoring.

Data

Setting national standards and measuring state performance on statewide data indicators for CFSR purposes relies upon the states submitting high-quality data to AFCARS and NCANDS. We have set data quality limits for calculating the national standards and estimating states' risk-adjustment performance. We will exclude states that have data quality issues that exceed the data quality limits established from the model we use to calculate the national standard (i.e., the national observed performance) and estimate states' risk-adjusted performance. Data quality issues can also prevent us from using child-level records in our calculations.

We will provide data profiles of state performance to each state before the state's CFSR on all seven of the statewide data indicators and other contextual data available from AFCARS and NCANDS. This data profile will assist the state in developing its statewide assessment and begin planning for program improvement, if appropriate. In addition, we will provide data profiles semi-annually to assist states in measuring progress toward the goals identified in their program improvement plans.