

<b>Outcome/Systemic Factor:</b>	<b>Well Being 3</b>	
<b>Performance Item: 23</b>	<b>Mental health needs of the child</b>	
<b>Performance Goal:</b>	Year 1: See narrative on PEP Matrix.	
<b>Measurement Method:</b>	Case reviews will be used for baseline data and quarterly reports.	
<b>COMMENTS:</b>	Year 2: See narrative on PEP Matrix.	

<b>Action Steps</b>		<b>Benchmark Tasks</b>	<b>Responsible Party/Parties</b>	<b>Benchmark Achievement Dates</b>
<p>M. Work with children's mental health experts and county and tribal child welfare agencies to:</p> <ul style="list-style-type: none"> <li>develop a statewide policy and child welfare worker support for the screening and assessment of the mental health needs of children who have been abused or neglected.</li> <li>a capacity improvement plan for screening, assessment and treatment.</li> </ul>	M.1	Form a statewide work group and a process for a statewide dialog to gain consensus on mental health practices in Wisconsin's child welfare system. <ul style="list-style-type: none"> <li>a. Recruit members, set agendas, meeting dates and timelines.</li> </ul>	Counties, tribes, BMCW, DDES BMHSAS, (Bureau of Mental Health and Substance Abuse Services), DHCF (Division of Health Care Financing), AO, BPP, BMCW, Area Administration and mental health advocacy groups	Q5 - Q6
	M.2	Form a workgroup to develop a capacity improvement plan for screening, assessment and treatment.	DCFS, DDES, DHCF	Q5-8
	M.3	Host a statewide forum and regional meetings to refine the Wisconsin Model of child welfare practice in order to identify family mental health issues.	BPP and key constituents	Q6
	M.4	Draft and circulate proposed policies and incorporate comments from key constituents.	BPP & workgroup	Q7
	M.5	Update the WI Model to assist in identifying possible mental health issues and issue revised instructions. <ul style="list-style-type: none"> <li>a. Update WISACWIS, as necessary, for changes in WI model and related tools.</li> <li>b. Orient/train BMCW, counties, and tribes.</li> <li>c. Revise any related curricula and provide training through the Child</li> </ul>	BPP, WISACWIS Project Team and WISACWIS advisory group BPP & Area Administration Regional Staff BPP & WISACWIS Project Team BPP & Child Welfare Training Partnership	Q8 Q9 Q9 - Q10 Q10

Income/Systemic Factor: Well Being 3

Welfare Training Partnership.

tes - Outcome / Systemic Factor:

<b>Outcome/Systemic Factor:</b>	<b>Case Review</b>	
<b>Performance Item: 25</b>	<b>Case plan developed jointly with child's parents</b>	
<b>Performance Goal:</b>	Year 1: See narrative on PEP Matrix.	Year 2: See narrative on PEP Matrix.
<b>Measurement Method:</b>	Case reviews will be used for baseline data and quarterly reports.	
<b>COMMENTS:</b>		

<b>Action Steps</b>	<b>Benchmark Tasks</b>	<b>Responsible Party/Parties</b>	<b>Benchmark Achievement Dates</b>
<p>N. Make family involvement in child welfare case planning a centerpiece of the administrative rules that govern practice and policy for children in out of home care. (HFS 44)</p>	<p>N.1 Identify all items from PEP and 5-Year Plan that should be incorporated into Ch. HFS 44 and begin revisions.</p> <ul style="list-style-type: none"> <li>a. Reactivate the HFS 44 Workgroup.</li> <li>b. In conjunction with HFS 44 Workgroup, complete draft of HFS 44 for review by DHFS administration.</li> <li>c. Circulate the draft to counties, tribes, private agencies and other constituents and solicit comments. Incorporate as determined by the Work group</li> <li>d. Conduct public hearings</li> <li>e. Identify WISACWIS functions and revise as necessary.</li> <li>f. Issue final rule to all appropriate parties.</li> <li>g. Provide targeted training to all counties, tribes, caseworkers and legal staff on Ch. HFS 44, etc.</li> </ul>	<p>BPP</p> <p>BPP and HFS 44 Workgroup</p> <p>BPP</p> <p>BPP</p>	<p>Q3</p> <p>Q3 - Q5</p> <p>Q6</p> <p>Q7</p>
	<p>N.2 Identify all items from PEP and 5-Year Plan that should be incorporated into the Ongoing Standards.</p> <ul style="list-style-type: none"> <li>a. Establish workgroups consisting of counties, tribes, BMCW and Child Welfare Training Partnership to revise the Ongoing Standards.</li> <li>b. Identify WISACWIS functions and revise as necessary.</li> <li>c. Issue revised Ongoing Standards.</li> <li>d. Provide training and technical assistance on the revised standards.</li> </ul>	<p>BPP</p> <p>BPP</p> <p>BPP &amp; WISACWIS Project Team</p> <p>BPP &amp; DSCO</p> <p>BPP</p>	<p>Q4</p> <p>Q5 - Q6</p> <p>Q6</p> <p>Q7</p> <p>Q7 and ongoing</p>

Outcome/Systemic Factor: Case Review  
 Performance Item: 28 Process for termination of parental rights proceedings

Performance Goal: Year 1: See narrative on PEP Matrix. Year 2: See narrative on PEP Matrix.  
 Measurement Method: Director of State Courts Office data and Consolidated Court Automation Programs (CCAP) data will be used for baseline data and quarterly reports.

COMMENTS:

Action Steps	Benchmark Tasks	Responsible Party/Parties	Benchmark Achievement Dates
Move children more quickly to permanency when they can no longer be safe at home by expediting the Termination of Parental Rights (TPR) when it is appropriate and necessary.	O.1 Communicate clarification regarding the current law on proceeding to a TPR when an adoptive resource has not been identified and related issues	BPP	Q1
	O.2 Continue to provide training on current statutes regarding permanency reviews and hearings, Adoption and Safe Families Act (ASFA) timeline, TPR process, etc. (aka the Act 109 training)	BPP, OLC, DSCO & contracted trainers	Q2 and ongoing
	O.3 Through Ch. HFS 44 require the development of a concurrent plan no later than 6 months from placement. a. Determine compliance through case review. b. Provide training and technical assistance based on results of case and in response to request from counties and tribes.	BPP, DSCO, OLC, counties & tribes	Q5
	O.4 Analyze TPR case processing as part of Court Improvement Project reassessment and jointly implement recommendations with Director of State Courts Office.	BPP, BMCW, DSCO	Q3 - Q6
	O.5 Communicate to counties a reminder of the existence of IV-E funds for legal services.	BPP	Q1

Notes - Outcome / Systemic Factor:

**Outcome/Systemic Factor:** Case Review  
**Performance Item: 29** Notification of and opportunity to participate in hearings.

**Performance Goal:** Year 1: See narrative on PEP Matrix.  
**Measurement Method:** Conduct case reviews for baseline data. Design surveys for foster parents. Case reviews and foster parent surveys will be used for quarterly reports.

**COMMENTS:**

Action Steps	Benchmark Tasks	Responsible Party/Parties	Benchmark Achievement Dates
<p>P. Clarify the responsibility and role of foster parents and other physical custodians for participation in legal reviews and court hearings</p>	<p>P.1 Incorporate role and responsibility of foster parents and other physical custodians in:</p> <ul style="list-style-type: none"> <li>a. pre-service training for foster parents.</li> <li>b. Training for staff</li> <li>c. Model handbook for foster parents</li> </ul> <p>P.2 Establish a process for judges to seek input from foster parents and other physical custodians in court hearings.</p>	<p>BPP, BMCW, Child Welfare Training Partnership &amp; Licensing Agencies</p> <p>BPP &amp; DSCO</p>	<p>Q9 - Q10</p> <p>Q5</p>

**Notes - Outcome / Systemic Factor:**

Outcome/Systemic Factor: **Quality Assurance System**  
 Performance Item: **31 The State is operating an identifiable quality assurance system**

Performance Goal: Year 1: See narrative on PEP Matrix.  
 Measurement Method: We will provide information on QA results for baseline data. Information obtained through the QA process (e.g., number of reviews, number of cases) will be used for the quarterly reports.  
 Year 2: See narrative on PEP Matrix.

COMMENTS:

Action Steps	Benchmark Tasks	Responsible Party/Parties	Benchmark Achievement Dates
For the first time in Wisconsin's child welfare history, design and implement a comprehensive, statewide Quality Assurance program. Build on the strength of existing programs and support the efforts of child welfare agencies to maintain an environment that encourages learning and program improvement.	Q.1 Statewide QA Process. Write position descriptions and contract requirements.	BPP	Q1
	Q.2 Recruit and hire staff and contractor.	BPP	Q2
	Q.3 Train new staff.	BPP	Q2 - Q3
	Q.4 In collaboration with BMCW, counties, tribes, Child Welfare Training Partnership and DSCO design a case review model to replicate the CFSR process.	BPP	Q2 - Q3
	a. Conduct focus groups of stakeholders that are important partners in effective child protection.	BPP	Q2 - Q3
	b. Develop a standardized review format and tools.	BPP	Q3
	c. Develop protocols, policies and procedures related to the review process.	DCFS, Child Welfare Training Partnership & Area Administration Regional Staff	Q3 - Q4
	d. Develop and provide statewide training and technical assistance related to the case review model.	BPP, OPEP & WISACWIS Project Team	Q3 - Q4
	e. Incorporate review formats/tools into the automated system.	BPP & WISACWIS Project Team	Q4
Q.5 Work with BMCW to coordinate Statewide QA process with BMCW QA		BPP & OPEP	Q3

Action Steps	Benchmark Tasks	Responsible Party/Parties	Benchmark Achievement Dates	
Q. (Cont.)	Q.6 Identify review teams for all types of reviews. a. Provide training and technical assistance for reviewers.	BPP, Child Welfare Training Partnership & Area Administration Regional Staff	Q2	
	Q.7 Pilot the process.	BPP & OPEP	Q4	
	Q.8 Implement the CFSR style review process in counties.	BPP & counties	Q5 and ongoing	
	Q.9 Establish a workgroup consisting of counties, tribes, BMCW, Area Administration and other stakeholders to develop effective performance reports and other requested reports. a. Design, produce and distribute reports and related policies to local agencies. b. Analyze and interpret data on a statewide and individual county basis. c. Provide technical assistance and training to local agencies in designing and interpreting reports.	BPP	BPP	Q1 and ongoing
			OPEP, BPP & WISACWIS Project Team	Q1 and ongoing
			OPEP	Q1 and ongoing
		OPEP, BPP, WISACWIS Project Team & Area Administration Regional Staff	Q1 and ongoing	

Notes - Outcome / Systemic Factor:

<p>Outcome/Systemic Factor: Performance Item: 32 33</p>	<p>Staff and Provider Training Initial staff training Ongoing staff training</p>		
<p>Performance Goal:</p>	<p>Year 1: See narrative on PEP Matrix. Year 2: See narrative on PEP Matrix.</p>		
<p>Measurement Method:</p>	<p>Child Welfare Training Partnership data will be used for baseline and quarterly reports. Information collected will include an identification of caseworkers who attended classes and when they attended as compared to agency staff total.</p>		
<p>COMMENTS:</p>			
<p>Action Steps</p>			
<p>Expand the frequency, accessibility and application value of child welfare training in Wisconsin.</p>	<p>R.1 DCFS will create an ad hoc committee to establish minimum requirements for pre-service, foundation, ongoing and supervisor training. R.2 The ad hoc committee will: a. Review training requirements from other states. b. Identify critical training needed per job task. c. Explore options for on the job and distance learning training. d. Make recommendations related to exemption criteria.</p>	<p>BPP &amp; Child Welfare Training Council  BPP</p>	<p>Benchmark Achievement Dates Q2 - Q3  Q3</p>
<p>R.3 DCFS Council will create an ad hoc committee to meet with Schools of Social Work to establish a match between current curriculum and Training Partnership foundation training to further refine equivalencies and/or exemption criteria.</p>		<p>BPP &amp; Child Welfare Training Council</p>	<p>Q4 - Q6</p>
<p>R.4 DCFS will draft and promulgate a training administrative rule.</p>		<p>BPP</p>	<p>Q7 - Q10</p>
<p>R.5 Establish a workgroup consisting of BPP, counties, BMCW, tribes, Child Welfare Training Partnership and WISACWIS Project Team to identify and define ongoing training needs related to the automated system.</p>		<p>BPP, WISACWIS Project Team &amp; OPEP</p>	<p>Q7 - Q10</p>
<p>R.6 Integrate training with case practice.</p>		<p>DCFS, Child Welfare Training Partnership &amp; Training Council</p>	<p>Q2 - Q3</p>



Action Steps	Benchmark Tasks	Responsible Party/Parties	Benchmark Achievement Dates
R. (Cont.)	<p><u>Training Capacity</u>                      R.7 DCFS will develop additional options for county and tribal access to child welfare training, including use of technology and supplemental training providers to meet pre-service, foundation and ongoing requirements for staff and supervisors.</p>	DCFS, Child Welfare Training Partnership & State Training Council	Q1 - Q3

Notes - Outcome / Systemic Factor:

**Outcome/Systemic Factor:** Safety Outcomes 1 & 2  
**Performance Item:** 1 Timeliness of initiating investigation.  
 2 Recurrence of maltreatment.  
 3 Services to family to protect children in home and prevent removal.

**Performance Goal:** Year 1: See narrative on PEP Matrix. Year 2: See narrative on PEP Matrix.  
**Measurement Method:** The development of position descriptions and documentation of the hiring process and training attended will be used to measure achievement of the benchmarks.

**COMMENTS:**

Action Steps	Benchmark Tasks	Responsible Party/Parties	Benchmark Achievement Dates
To ensure safety and permanence for children and to increase consistency in child welfare practice, enhance the capacity of BPP to research and develop policies, to provide technical assistance, and to respond to both systemic and case-specific issues.	S.1 Write PDs and contract requirements.  S.2 Recruit and hire staff. S.3 Train new staff.	BPP  BPP BPP	Q1  Q2 Q2 - Q3

**Notes - Outcome / Systemic Factor:**

<b>Outcome/Systemic Factor:</b>	<b>Service Array</b>	
<b>Performance Item: 35</b>	The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs...	
<b>36</b>	The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP.	
<b>Performance Goal:</b>	Year 1: See narrative on PEP Matrix.	
<b>Measurement Method:</b>	Year 2: See narrative on PEP Matrix.	
<b>COMMENTS:</b>	A written statement describing core CPS services will be developed. Caseloads will be determined through examination of WISACWIS, the use of Random Moment Time Study data, and a survey of all county agencies. Supervisor caseloads will be measured through a survey of all county agencies. The availability of and accessibility to services will be evaluated through studying information maintained by the Divisions of Disability and Elderly Services, Children and Family Services, Public Health, and Health Care Financing. In addition, a survey of county agencies and clients will be conducted.	

<b>Action Steps</b>	<b>Benchmark Tasks</b>	<b>Responsible Party/Parties</b>	<b>Benchmark Achievement Dates</b>
T. Assess the capacity of the Wisconsin child welfare system to respond effectively to the safety needs of children.	T.1 Identify core CPS services.	BPP	Q3 - Q4
	T.2 Evaluate the caseload and workload of child protective services staff.	OPEP	Q5 - Q8
	T.3 Evaluate the workload of child protective services supervisors, including casework to supervisor ratios.	OPEP	Q5 - Q8
	T.4 Evaluate the availability and accessibility of services for children and their caregivers that address the underlying contributors to child abuse and neglect (e.g., AODA, physical and mental health, and domestic violence).	OPEP	Q5 - Q8

Notes - Outcome / Systemic Factor:

## PEP Core Team

The PEP Core Team developed the plan. Its members included county human and social service directors and managers (including representatives from the three counties that were reviewed in the CFSR), tribal child welfare workers, DCFS and DHFS staff, members of Wisconsin's Child Welfare Training Partnerships, representation from the state courts (to ensure coordination with Wisconsin's Court Improvement Plan), University of Wisconsin System staff, child advocates, and private agency representatives.

Because Wisconsin has a state-supervised, county-administered child welfare system, successful PEP development could only be achieved through an inclusive, partnership approach. And because such a plan clearly required a lengthy process of values discussions, deliberation and consensus building, the PEP Core Team did not wait for the federal CFSR report in January 2004 to begin planning. Instead, it began its work in September 2003, guided by CFSR exit conference comments and its members' expertise and knowledge of the child welfare challenges in Wisconsin.

The Core Team also formed six subcommittees to focus additional analysis and expertise in the areas of foster care, case review, service array, quality assurance, training, and communication. Together, the Core Team and its subcommittees generated approximately 250 prospective strategies to respond to the challenges expected in the CFSR findings. It delegated a smaller "Drill Down Team" to sort, refine and develop those strategies. "Drilling" began in December 2003 and continued through March of 2004 until the final draft of the PEP was complete. Throughout the PEP process, Core Team members voluntarily contributed more than 4,000 hours to its development.

The Wisconsin Child Welfare Executive Steering Committee consisting of representatives from the legislature, courts, state agencies and other stakeholders of the child welfare program participated in the review of the PEP strategies. The Executive Steering Committee, which approved the state self-assessment for the CFSR, reviewed the strategies on February 11, 2004. The PEP matrix and quarterly progress reports will be reviewed by the Executive Steering Committee at future meetings. (See Appendix A for a list of the committee members.)

As the PEP process and strategies were developed, they were presented to child welfare professionals statewide and discussed in 15 regional meetings of service provider organizations, advisory committees, and advocacy groups. DCFS circulated the notes from those meetings and provided opportunities for individual comment directly to county and tribal child welfare agencies across the state.

## PEP Core Committee Members

Rachelle Alioto	Director of Training	Milwaukee Training Partnership
Reggie Bicha	Director	Pierce County Human Services Dept.
Sally Biddick	CPS Program Manager	Rock County Human Services Dept.
Mike Bloedorn	Director	Washington County Social Services
Jennifer Borup	Director	Western Wisconsin Training Partnership
John Chrest	Director	Wood County Social Services
Pat Cork	Area Administrator	DHFS/Office of Strategic Finance
Rosemary Davis	Deputy Director	Outagamie County Health & Human Services
Mary Husby	Indian child welfare director	Menominee Indian Tribe of WI
Carol Corn	Indian child welfare staff	Menominee Indian Tribe of WI
Charity Eleson	Director	WI Council on Children and Families
Colleen Ellingson	Executive Director	Adoption Resources of Wisconsin
John Grace	Executive Director	WI Assoc. of Family & Children's Agencies
Harry Hobbs	Assistant Area Administrator	DHFS/Office of Strategic Finance
Gerald Huber	Director	La Crosse Co. Human Services
Bill Hunter	CPS Program Manager	Brown Co. Human Services
John Jansen	Director	Kenosha Co. Child and Family Services Division
Michelle Jensen Goodwin	Project Director	Director of State Courts Office
Fred Johnson	Supervisor	St. Croix County Health & Human Services
Richard Kammerud	Director	Polk County Human Services
Charmian Klyve	Director	Rock County Human Services
Bob Lee	CPS Program Manager	Dane County Human Services
Don Maurer	CPS Program Manager	Waukesha County Health & Human Services
Ami Orlin	CPS Program Manager	Dane County Human Services
Stephanie Reilly	Interim Director	NEW Partnership – UW Green Bay
Denise Revels Robinson	Director	Bureau of Milwaukee Child Welfare
Ron Rogers	Lead Social Work Supervisor	Kenosha County Human Services
Lu Rowley	Director	Waukegan Co. Dept. of Social Services
Sue Saeger	Director	Southern CW Training Partnership
Chris Sieck	Training Manager	Southern CW Training Partnership
Kristen Shook Slack	Assistant Professor	UW School of Social Work
Diane Waller	Director	DHFS/Office of Strategic Finance

DCFS Staff on the Core Committee included: Kitty Kocol, Mark Campbell, John Tuohy, Bill Fiss, Dave Hergert, Cris Ros-Dukler, Connie Klick, Mark Mitchell, Dale Langer, Jill Chase, Mary Dibble, Amy Smith, Paula Brown, S. Kate Johnson, Sharon Lewandowski, Tammara LeMay, Michelle Rawlings, and Barb Berlin

PEP Systemic Factor Subcommittee Members

*Information System Capacity (WISACWIS System and use of data)*

John Tuohy	Beth Wydeven
Michelle Rawlings	Dan Wendt
Bill Fiss	Harry Hobbs
Amy Johnson	

*Quality Assurance (State program standards and quality assurance activities)*

Pat Cooper	Barb Berlin
Mark Campbell	Paula Brown
Kitty Kocol	Judy Herman
Pat Cork	John Tuohy

*Communication Strategies (Sharing information and involving stakeholders)*

Kitty Kocol	Diane Waller
Kenneth Munson	Jim Malone
Denise Revels Robinson	Mark Campbell

*Case Review System (Written Case plans and regular permanency hearings.)*

Michelle Jensen Goodwin	Mark Butterfield
Mark Mitchell	Theresa Bacchi
Therese Durkin	Sally Biddick
Todd Campbell	Ellen Cheney
Therese Durkin	Sheila Corbin
Pamela Eitland	Kris Goodwill
Rhonda Tousey	Laura Kuehn
Connie Klick	Fred Johnson
Mary Jo Keating	Julie Jensen
Bill Fiss	Honorable Christopher Foley
Kate Johnson	Marianne Genter
Honorable John Murphy	Jodi Timmerman

*Service Array (Needs assessment and services to families and children.)*

Connie Klick	Rhonda Tousey
Dan Naylor	Amy Smith
Ron Rogers	Julie Allison
Mary Dibble	Sandy Hoefert
Chatellah Brown	Carol Wright
Dan Naylor	Mark Mitchell
Sharon Lewandowski	Sue Sleezer

*Staff and Provider Training (Training for local agency staff)*

Amy Smith	Reggie Bicha
Chris Sieck	Bob Goetter
Stephanie Reilly	John Touhy
Mike Bloedorn	Rachelle Alioto
Don Gjestfeld	Jennifer Borup

*Foster and Adoptive Parent Licensing, Recruitment and Retention (Standards for licensing, criminal background checks, recruitment and foster and adoptive parent training)*

Kate Johnson	Eliane Reis
Dale Langer	Erin Brophy
Sally Hanko-Dees	Renee Sutkay
Cathy Swessel	Kristin Lampke
Colleen Ellingson	Amy Orlin
Jill Chase	Nan Upright-Sexton
Tammara Lemay	Deena Williams
Patty Hammes	

## TRIBAL CHILD WELFARE ISSUES

### Priority Number 1: Identifying Children as Indian Children

#### Issue Statement

Too often, children are not being identified as Indian children, either at all or at some point later in the child welfare process than should occur. In some cases, if a child does not have an Indian name or does not "look Indian," it is assumed that the child is not Indian. Child welfare practice should be altered so that all children are assumed to be Indian until it is determined that they are not.

#### Outcome Objective

By \_\_\_\_\_, active efforts shall be made, at the point of entry into the child welfare system and at appropriate subsequent points:

- to determine if a child or a member of the child's family is Indian
- to determine what the tribal affiliation is, and
- to notify the appropriate tribe or tribes of the child's involvement in the child welfare system.

*This is required by the Indian Child Welfare Act and must be done so that tribes can make informed decisions regarding their desire to be involved, and at what level, with the case.*

#### Action Steps

Action	By Whom	PEP Reference	Other Reference
Statewide tool or screen to assist in assuring appropriate questions are asked (check with Montana, NICWA, and Oregon).	Developed by DHFS in collaboration with tribes, counties, and the Court Improvement Program. Utilized by DHFS (adoption) and county staff, and child placing agencies.		
Directory of federally-recognized tribes in Wisconsin and tribal contacts for use by agencies with instructions and technical assistance. Also list BIA regional office for tribes outside of Wisconsin.	Developed by DHFS in collaboration with tribes. Utilized by same agencies as above.		
Specificity of ICWA requirements and sanctions for violations of requirements; draft legislation provided to tribes for comment and suggested revision.	Developed by DHFS in collaboration with tribes and counties.		
Develop a statewide form/template to be used to submit to tribes to determine if the child is covered under ICWA.	Developed by DHFS in collaboration with tribes and counties.		
Provide tribes with access to WisACWIS.	DHFS in collaboration with tribes.		



**TRIBAL CHILD WELFARE ISSUES**

**Priority Number 2: Training on ICWA, Tribal Codes/Ordinances, and Cultural Issues**

Issue Statement

Staff and administrators of a variety of child welfare agencies and organizations do not have adequate knowledge of the intent and content of the ICWA that supports the implementation of the law in either legal or practice situations.

Staff of the Department, the DOC Division of Juvenile Services, counties, private agencies, and tribes, and legal staff (e.g., judges, Guardians ad Litem, District Attorneys/Corporation Counsel) require ongoing training related to the content of the Indian Child Welfare Act and implications for implementation in Wisconsin. All training should include an Indian co-trainer.

Outcome Objective

By \_\_\_\_\_, all training participants listed above will demonstrate an understanding of the philosophical and legal concerns around removal of Indian children from their homes, placing Indian children in out-of-home care, terminating parental rights, and placing Indian children for adoption, all recognizing that there are differences among tribes.

Action Steps

Action	By Whom	PEP Reference	Other Reference
Require training on the above curricula and require an 80% score in order to be certified as completing ICWA training. [Ref. s. 48.981(8)(d), Stats.]  Include juvenile justice staff in this requirement. [Ref. Ch. DOC 399, Adm. Code]	DHFS and DOC requirement. Applicable to DHFS, DOC, county staff, and child placing agency staff. To be developed in collaboration with the Department of Corrections, tribes and counties.		
Develop training curricula related to the above.	Training Partnerships, DHFS, Counties, Tribes		
Incorporate ICWA into appropriate state statutes and administrative rules.	DHFS in conjunction with counties and tribes.		
The University of Wisconsin schools of social work and related programs should include a component on ICWA required for completion of the degree.	DHFS, DOC, UW, Vocational/Technical System, counties, tribes, Training Partnerships.		
Require that staff and management of counties obtain available training from tribes with which they predominantly work on the laws, customs, and culture of that tribe/those tribes.	Tribes, counties, and Training Partnerships.		
Incorporate into state licensing rules that licensed agencies must coordinate/may not impede* the cultural, religious, and spiritual beliefs of tribes. *For further discussion	DHFS, counties, and tribes		

## TRIBAL CHILD WELFARE ISSUES

### Priority Number 3: Adoptions

Issue Statement

Tribes are not always involved in cases involving Indian children and the decisions that affect the outcome of the case, including removal from the home, placement in out-of-home care, termination of parental rights, and adoption. As a result, Indian children may experience outcomes that are not in the best interest of either the child or the tribe or both.

Outcome Objective

By -----State DHFS and County Staff and Managers, Private Agency staff, and Legal Counsel must involve tribes in all planning, implementation, and evaluation related to removal from the home, placement in out-of-home care, termination of parental rights, and adoptions to enable Indian children to experience positive measurable outcomes in adoptive services.

*This includes the legislative intent of the ICWA relative to paternity and determination of the best interests of the child as defined in the Indian Child Welfare Act of 1978, and assessing the appropriateness of adoptive placements.*

Action Steps

Action	By Whom	PEP Reference	Other Reference
Provide technical assistance on and strengthen laws and policies regarding efforts to determine paternity, including DNA testing.	DHFS in conjunction with counties and tribes.		
Require documented proof of the Indian heritage of potential adoptive families.	DHFS in conjunction with tribes and counties.		
DHFS will contract with tribes to administer all adoptions involving Indian children.	DHFS in conjunction with tribes.		
Adoption home studies and agreements should specifically state how the child's Indian heritage will be preserved.	DHFS, tribes and counties.		
Provide tribes with listing of DHFS contract agencies doing special needs adoptions.	DHFS		

## TRIBAL CHILD WELFARE ISSUES

### Priority Number 4: 161 Agreements

#### Issue Statement

161 agreements were created pursuant to 1983 Wisconsin Act 161 and were designed to identify the responsibilities of each agency in terms of the funding of placements of children ordered by tribal courts. Problems encountered by Tribes in using 161 Agreement have included:

1. Counties refusing to enter into a 161 Agreement
2. Counties entering into a 161 Agreement and not fully complying with the terms

Over the years, additional issues have been added to 161 Agreements, including identification of which agency will determine IV-E eligibility, which agency will develop and implement case plans, which agency will develop and review permanency plans, etc. In addition, it has been recommended that these agreements also include other child welfare related determinations (e.g., how CPS investigations will be handled) and the inclusion of juvenile justice cases.

In recent times, other issues have arisen, such as the implications of either party not signing the agreement and the lack of sanctions for not abiding by the agreement. In addition, there has been much discussion regarding whether the agreements should be between tribes and the state rather than tribes and counties.

#### Outcome Objective

By April 15, 2004, counties, in collaboration with DHFS, will consult with tribes to assess the effectiveness of the collaborative planning, implementation, and evaluation of 161 Agreements and implement any corrective action that may include continuance, modification, or elimination.

#### Action Steps

Action	By Whom	PEP Reference	Other Reference
Define the content of 161 Agreements.	DHFS, tribes and counties		
Consider establishing a direct state-tribal relationship for placement funding.	DHFS, tribes and counties		
Establish a grievance process and sanctions for non-compliance with 161 Agreements.	DHFS, tribes and counties		
Identify implications of either a county or a tribe not signing a 161 Agreement.	DHFS, tribes, counties, DOJ		
Include measurable outcomes in 161 Agreements that include timelines and commitment of funds for services.	DHFS, tribes and counties		
Include "full faith and credit" language for tribal-licensed foster homes in 161 Agreements and Ch. HFS 56, Adm. Code.	DHFS, tribes and counties		
Consider replacing 161 Agreements with Tribal/County or Tribal/State child welfare agreements that are more comprehensive	DHFS, tribes and counties		

**TRIBAL CHILD WELFARE ISSUES**

**Priority Number 5: Foster Home Placements and Resources**

Issue Statement

Currently, there is some disagreement regarding the authority of tribes under the Indian Child Welfare Act to license foster homes outside of the boundaries of reservations or public trust lands. Our statutes and administrative rules are silent on this issue. There should be official determination of whether this authority exists or does not exist and that determination should be formalized in either statute or administrative rule.

There have also been some concerns related to “full faith and credit” not being given by counties and adoption agencies to foster homes licensed by tribal agencies. To a certain extent, this is due to the fact that tribes may, but are not required to, use the Wisconsin foster home licensing administrative rule.

As well, there is disagreement among counties, and between some counties and DHFS, as to whether relatives may be licensed as foster parents at the discretion of that relative. There is no question that relatives do not need to be licensed to care for a child, but they must be licensed if they wish to receive a foster care payment rather than a Kinship Care payment.

Outcome Objective

By April 15, 2004, DHFS will consult with tribes to establish a State Statute or Administrative Rule recognizing “full faith and credit” of the tribal licensing process and foster placement costs “on or off/near” the reservation.

Action Steps

Action	By Whom	PEP Reference	Other Reference
Clarify state statutes regarding whether relatives may apply for and be granted a foster home license when a child has been placed with them by court order.	DHFS and counties		
Clarify the authority of tribes to license foster homes on reservation or public trust lands and determine whether this authority extends to homes off of the reservation or public trust lands.	DHFS		
Include “full faith and credit” language for tribal-licensed foster homes in 161 Agreements and Chs. HFS 56 and 38, Adm. Code.	DHFS, tribes, and counties		
Training for county and private agency staff on laws, rules, etc. related to licensure and “full faith and credit.”	DHFS, tribes		

## TRIBAL CHILD WELFARE ISSUES

### Priority Number 6: Title IV-E Funding for Tribes

#### Issue Statement

Tribes can not receive Title IV-E funds directly from the federal government. The federal government is developing a proposal under which a state can opt to receive Title IV-E funds as a block grant rather than an entitlement. Under that proposal, it is clear that the federal government would provide IV-E funds directly to tribes. In addition, other federal legislation has been introduced that would allow tribes to receive Title IV-E funds directly.

In addition, at least some Wisconsin tribes would prefer to have a Title IV-E funding relationship with the state rather than the county(ies) in which they are located.

Tribes in Wisconsin support the legislation proposed by Senator Baucus that allows tribes to contract directly with the federal government.

#### Outcome Objective

By February 15, 2005, enter into a collaborative agreement that allows tribes to contract directly with the State Of Wisconsin for Federal Fiscal Year 2006 Title IV-E funds that may include:

1. Maintenance Costs
2. Training Costs for Child Welfare Staff and Foster Parents,
3. Administrative Costs

#### Action Steps

Action	By Whom	PEP Reference	Other Reference
Research the implication for Tribes of federal regulations on the provision of Title IV-E funds directly to tribes by the federal government.	DHFS and Tribes		
Consider establishing a direct state-tribal relationship for Title IV-E funding.	DHFS, Tribes and Counties		

## TRIBAL CHILD WELFARE ISSUES

### Priority Number 7: Safety of Children in Their Own Homes and in Out-of-Home Care

#### Issue Statement

DHFS has, in recent years, developed policies and provided technical assistance and consultation to county agencies on the concepts involved with the safety of children, including in-home family-managed safety plans, in-home agency-managed safety plans, and out-of-home care. Similar efforts should be undertaken to assure that tribal child welfare agencies are aware of these safety concepts and practices.

Agencies providing services to Indian children must be aware of the higher standard of "active" efforts to prevent unwarranted removal of Indian children from their homes and the court-ordered plan for reunification of children with their families, including the appropriateness of reunification conditions. This concept must be considered when establishing, implementing, and evaluating both family-managed and agency-managed in-home safety plans and both prior to and after any placement of the child in court-ordered Kinship Care or other type of out-of-home care.

#### Outcome Objective

By July 1, 2004, Tribes and Counties will enter into collaborative planning, implementation, and evaluation of measurable services related to the safety plans for Indian children in their own homes, in court-ordered Kinship Care, and in out-of-home care.

#### Action Steps

Action	By Whom	PEP Reference	Other Reference
DHFS, counties, and tribes should confer on the development, implementation, and evaluation of all types of safety plans, including plans for reunification.	DHFS, counties, tribes, private consultants		
County agencies must provide the earliest possible notification to tribes when a referral on an Indian child is received, when a case is opened, and at other required steps in the case process.	Counties		
Tribal child welfare staff should attend safety training (including content and use of tools to determine safety) designed specifically for ICW staff.	DHFS, Tribes, Training Partnerships		

**WISCONSIN CHILD WELFARE EXECUTIVE STEERING COMMITTEE:**

<i>ORGANIZATION</i>	<i>INVITEE</i>	<i>DESIGNEE</i>
<i>Chairperson</i>	Kitty Kocol, DCFS Administrator	
<i>Governor's Office</i>	<i>To Be Identified (previously Policy Advisor)</i>	
<i>WI County Human Services Association</i>	Dave Titus, Dodge County HSD Director	
<i>Wisconsin Counties Association</i>	Craig Thompson, Legislative Director	
<i>WI Council on Children and Families</i>	Charity Elleson, Director	
<i>State Court Representatives</i>	Christopher Foley, Milwaukee Co. Circuit Court Kathleen Murphy, 8 <sup>th</sup> Judicial District Court Admin. Michelle Jensen-Goodwin, Court Improvement Coord.	
<i>Department of Corrections</i>	Sylvia Jackson, Deputy Administrator	
<i>Department of Public Instruction</i>	Nic Dibble, Student Services Program	
<i>WI Foster &amp; Adoptive Parent's Association</i>	Anne Rankin, Past President Sherry Benson, President	
<i>WI Police Chief's Association</i>	Tom Hansen, Police Chief of Iola	
<i>WI County Sheriffs Association</i>	<i>To Be Identified (previously County Sheriff)</i>	
<i>WI State Bar, Children and the Law Section</i>	Joan Korb, Attorney at Law	
<i>Department of Justice</i>	<i>To Be Identified (previously Crime Victim Services)</i>	
<i>Corporation Council</i>	<i>To Be Identified (previously Waukesha County)</i>	
<i>District Attorney's Association</i>	Scott Horne, La Crosse County District Attorney	
<i>State Public Defender's Office</i>	Gina Pruski, Public Defender Training Coordinator	
<i>GLITC/Tribes</i>	Jeff Muse, Deputy Executive Director	
<i>DHFS/ Health Care Financing</i>	Angie Dombrowicki, Bureau Director	
<i>DHFS/Public Health</i>	Susan Uttech, Program Manager	
<i>DHFS/Supportive Living</i>	Dan Naylor, Mental Health Program Consultant	
<i>DCommerce/Housing Program</i>	Judy Wilcox, Housing Program Manager	
<i>DWD/Workforce Solutions</i>	Bill Clingan, Administrator	
<i>UW-Madison School of Social Work</i>	Kristen Shook Slack, Assistant Professor	
<i>WI Coalition Against Domestic Violence</i>	Mary Lauby, Executive Director	
<i>WI Association of Family &amp; Children's Agencies</i>	John Grace, President	
<i>ASFCME</i>	John Petrusek, BMCW Social Worker	
<i>Children's Trust Fund</i>	Mary Ann Snyder, Executive Director	
<i>DHFS Office of Strategic Finance</i>	Diane Waller, Area Administration Director	
<i>Legislators</i>	Senator Carol Roessler, Tryg Knutson for Senator. Jon Erpenbach, Jamie Kuhn for Representative Mark Miller Other Assembly Representative - <i>To Be Identified</i>	
<i>County Child Welfare Programs</i>	BMCW- Denise Revels Robinson Kenosha - John Jansen, Ron Rogers Outagamie - Mary Jo Keating, Michelle Weinberger-Burns Fond du Lac - Kim Mooney Brown - Bill Hunter	

## DATA MEASUREMENT METHODS FOR PEP

State data reported to federal National Child Abuse and Neglect Data System (NCANDS) and Adoption and Foster Care Analysis Reporting System (AFCARS) is used as part of the CFSR improvement planning process to establish performance baselines and to set improvement targets. Current challenges are faced by the state as the implementation to WiSACWIS from existing legacy systems has increased data entry complexity and has resulted in variations to the scope, quality, and completeness of data reported to these two federal systems. Concerns and plans related to baseline and improvement measurements are described below for each of the two major areas.

### NCANDS

State does not currently provide child-specific information to NCANDS and instead submits a non-child specific survey of summary data. The state is currently in the process of developing a NCANDS file to meet the child and agency file NCANDS data requirements. Once all counties have implemented WiSACWIS, the state will submit child specific information consistent with NCANDS and this data will be used to compute the state's performance on the Safety Outcomes.

Based on results from the state's alternate safety data survey conducted for CY 2001 data, the State does not meet national standards for both the maltreatment recurrence and maltreatment in foster care performance outcomes. The current proposal is to use the same survey methodology to establish baseline data for FFY 2002 and 2003. It is recommended that the state begin using WiSACWIS for 2004 for use in the state's PEP. It is anticipated that for FFY 2005, all safety outcomes will be measured using the child-specific data submitted from WISACWIS to meet NCANDS Child File reporting requirements.

### AFCARS

Data submitted in the AFCARS Foster Care file for FFY 2003 included a significant number of errors for data elements used to calculate the Permanency Outcome measures. The primary concern related to data quality is the lack of removal dates in approximately 10% of these cases that had a discharge from foster care during the reporting period, particularly those cases which exited care to Adoption. An additional concern is the lack of adoption discharges when comparing the total number of adoptions reported as discharges from foster care in the Foster Care File versus the total number of adoption reported in the Adoption AFCARS File.

The current proposal is to use the FFY 2003 data profile as is, for baselines, with the exception of the data used to calculate the Time to Adoption permanency measure. For this measure, the state proposes to resubmit adoption data using the excel file generated from the AFCARS Adoption File that identifies all the finalized adoptions and their corresponding dates of removal for FFY 2003. In order to mitigate against future reporting concerns and to directly remedy those cases with incorrect or missing data related to AFCARS, the state will be examining ways to enhance the WiSACWIS application. These changes will be used to support appropriate correction of placement data errors and to enable placement history on open or newly opened cases where such history has not been converted into or documented in WiSACWIS to be added to an existing case.



## Outcome-Specific Measurement Strategies

For the Safety Outcomes, baseline data will be based on calendar year (CY) 2002 and 2003 performance estimates. For the Permanency Outcomes, the state will rely on baseline data as submitted for federal fiscal years (FFY) 2002 and 2003 under the AFCARS Foster Care file. Data collected in CY 2003 and reported for FFY 2004 will be used by the state to verify and update baseline measures. It is anticipated that the state will begin monitoring performance with the start of the FFY 2005 reporting period. For both outcomes, quarterly performance measurement will be performed and will be based on state generated reports using WiSACWIS data.

The Division anticipates the following baseline and quarterly measurement methods (also summarized on the attached chart) to be used for the five outcomes where the state does not meet the national performance standard.

### *1. Maltreatment Recurrence*

#### **Baseline Data**

The state will rely on a survey methodology developed with the assistance of the National Child Welfare Information Technology Resource Center and approved by the Children's Bureau to arrive at an estimate for the maltreatment recurrence rate. This methodology relies on both WiSACWIS data for implemented counties and manual CFS-40 data to derive a random case sample representative of the children who were subjects of substantiated maltreatment during a six-month period.

For the WiSACWIS portion of the sample, a report is used to determine each sample case that had a substantiated form of maltreatment in the six months prior to and the six months after the report indicated in the sample. For the CFS-40 portion of the sample, a survey is issued to counties whose cases are in the random sample. The survey is used by the county to document whether each case in its sample had a substantiated form of maltreatment in the six months prior to and the six months after the report indicated in the sample.

#### **Quarterly Performance Data**

The Division recommends using WiSACWIS as the sole source for measuring performance on the maltreatment recurrence standard. The Division has developed a standard report to calculate maltreatment recurrence that can be run on a quarterly basis.

The Division will begin submitting NCANDS Child and Agency File data beginning in FFY 2005. At this time, the Division will explore the use of the actual NCANDS submission as a basis for measuring ongoing performance.

#### **Improvement Target- 6.1%.**

The Wisconsin performance based on the 2001 data was close to the federal standard and is less than the sampling error amount. While updated baseline data is needed, Wisconsin will likely need to meet the federal performance standard as the improvement target.

## 2. *Maltreatment in Foster Care*

### **Baseline Data**

The state will use case counts from its state Child Abuse and Neglect Data base of those children who were subjects of substantiated maltreatment where the maltreater relationship to the child was identified as a Foster Parent or a Group Care Facility Staff. This case count will be divided by a cumulative out-of-home caseload count subject to AFCARS reporting requirement for the same period to determine the estimated rate of maltreatment in foster care. This methodology is consistent with the approach used by the state to derive a CY 2001 estimate for the CFSR Data Profile.

### **Quarterly Performance Data**

The Division recommends using WiSACWIS as the sole source for measuring performance on the maltreatment in foster care standard. The Division has developed a standard report to calculate maltreatment in out-of-home care rate that can be run on a quarterly basis.

The Division will begin submitting NCANDS Child and Agency File data beginning in FFY 2005. At this time, the Division will explore the use of the actual NCANDS submission in conjunction with the cumulative caseload as report to AFCARS as a basis for measuring ongoing performance.

### **Improvement Target- 0.57%**

The Wisconsin performance based on the 2001 data was close to the federal standard and is less than the sampling error amount. While updated baseline data is needed, Wisconsin will likely need to meet the federal performance standard as the improvement target.

## 3. *Foster Care Re-entry*

### **Baseline Data**

The state will use the results of the federal calculation of the Foster Care Re-entry rate based on the state's AFCARS Foster Care file submission.

### **Quarterly Performance Data**

The Division recommends using WiSACWIS as the sole source for measuring performance on the foster care re-entry rate. The Division has developed a standard report to calculate the out-of-home care re-entry rate that can be run on a quarterly basis.

The Division has been submitting foster care data to AFCARS and will explore using the data from these submissions as a basis for measuring ongoing performance.

### **Improvement Percentage- Minimum 1.35%**

Additional data will be submitted to establish a baseline for this performance standard. The improvement target will need to be at least 1.35%, which is the sampling error amount. The actual target will be determined through negotiations with the federal Administration for Children and Families. Reducing re-entry rates will present a challenge in counties outside of Milwaukee as the balance-of-state counties drive the statewide re-entry rate percentage.

The re-entry rate in Milwaukee County, based on Bureau of Milwaukee Child Welfare information, already meets the federal performance standard.

#### 4. *Time to Reunification*

##### **Baseline Data**

The state will use the results of the federal calculation of the Time to Reunification rate based on the state's AFCARS Foster Care file submission.

##### **Quarterly Performance Data**

The Division recommends using WiSACWIS as the sole source for measuring performance on the timeliness to reunification. The Division has developed a standard report to calculate the time to reunification that can be run on a quarterly basis.

The Division has been submitting foster care data to AFCARS and will explore using the data from these submissions as a basis for measuring ongoing performance.

##### **Improvement Percentage- Minimum 1.9%**

Additional data will be submitted to establish a baseline for this performance standard. The improvement target will need to be at least 1.9%, which is the sampling error amount. The actual target will be determined through negotiations with the federal Administration for Children and Families.

#### 5. *Time to Adoption*

##### **Baseline Data**

The state will resubmit data necessary to calculate the Time to Adoption baseline data for FFY 2002 and 2003. Required data will be included in an EXCEL file containing all state agency adoptions reported in the state's AFCARS Adoption File for those FFYs.

##### **Quarterly Performance Data**

The Division recommends using WiSACWIS as the sole source for measuring performance on the timeliness to adoption. The Division has developed a standard report to calculate the time to adoption that can be run on a quarterly basis.

The Division has been submitting foster care data to AFCARS and will explore using the data from these submissions as a basis for measuring ongoing performance.

##### **Improvement Percentage- 2.42%**

Additional data will be submitted to establish a baseline for this performance standard. The improvement target will need to be at least 2.42%, which is the sampling error amount. The actual target will be determined through negotiations with the federal Administration for Children and Families.

Measurement of Wisconsin's Performance for the National Standards			
Performance Standards	Annual Baseline Data		Quarterly Performance Measurement Data
	2002	2003	2004
<b>Outcome Improvement Data Reporting</b>			
<i>Safety Outcome 1 – Recurrence of Maltreatment</i>	<ul style="list-style-type: none"> <li>State Safety Survey (WiSACWIS and CFS-40 Data)</li> </ul>	<ul style="list-style-type: none"> <li>State Safety Survey (WiSACWIS and CFS-40 Data)</li> </ul>	<ul style="list-style-type: none"> <li>Statewide Estimate based on WiSACWIS Maltreatment Recurrence Outcome Report</li> </ul>
<i>Safety Outcome 1 – Maltreatment in Foster Care</i>	<ul style="list-style-type: none"> <li>State CAN Data (Foster Parent/Facility Staff Maltreaters)</li> <li>AFCARS Caseload</li> </ul>	<ul style="list-style-type: none"> <li>State CAN Data (Foster Parent/Facility Staff Maltreaters)</li> <li>AFCARS Caseload</li> </ul>	<ul style="list-style-type: none"> <li>State CAN Data (Foster Parent/Facility Staff Maltreaters)</li> <li>AFCARS Caseload</li> </ul>
<i>Permanency Outcome 1 – Re-entry to Care</i>	<ul style="list-style-type: none"> <li>Federal AFCARS Re-entry Rate</li> </ul>	<ul style="list-style-type: none"> <li>Federal AFCARS Re-entry Rate</li> </ul>	<ul style="list-style-type: none"> <li>State Re-entry Reports (WiSACWIS and HSRS)</li> </ul>
<i>Permanency Outcome 1 – Timely Reunification</i>	<ul style="list-style-type: none"> <li>Federal AFCARS Time to Reunification Rate</li> </ul>	<ul style="list-style-type: none"> <li>Federal AFCARS Time to Reunification Rate</li> </ul>	<ul style="list-style-type: none"> <li>State Time to Reunification Report (WiSACWIS and HSRS)</li> </ul>
<i>Permanency Outcome 1 – Timely Adoption</i>	<ul style="list-style-type: none"> <li>State Adoption EXCEL Chart (Based on Adoption AFCARS State Agency Adoptions)</li> </ul>	<ul style="list-style-type: none"> <li>State Adoption EXCEL Chart (Based on Adoption AFCARS State Agency Adoptions)</li> </ul>	<ul style="list-style-type: none"> <li>State Adoption EXCEL Chart (Based on Adoption AFCARS State Agency Adoptions)</li> </ul>
<i>Permanency Outcome 1 – Placement Stability</i>	<ul style="list-style-type: none"> <li>AFCARS Placement Stability Rate</li> </ul>	<ul style="list-style-type: none"> <li>AFCARS Placement Stability Rate</li> </ul>	<ul style="list-style-type: none"> <li>AFCARS Placement Stability Rate</li> <li>State Placement Stability Reports (HSRS and WiSACWIS)</li> </ul>

**NOTE:** FFY 05 denotes when all NCANDS and AFCARS data is from WiSACWIS for federal and state-level reporting purposes; use of federal AFCARS File as data source for Quarterly Performance Measurements will also be explored.

Wisconsin Achievement of National Performance Standards

Performance Standards	National Standard (Percent)	WI Data 2001 (Percent)	Sampling Error (Percent)	Minimum Improvement (Percent)
<b>Safety Outcome 1 – Recurrence of Maltreatment</b> Of all children who were victims of substantiated maltreatment report in the first 6 months of 2001, what percent were victims of another substantiated report within a 6-month period?	6.1 or less	6.9 *	0.90	6.1
<b>Safety Outcome 1 – Maltreatment While in Care</b> Of all children in out-of-home care in first 9 months of 2001, what percent experienced maltreatment by foster parents or facility staff members?	0.57 or less	0.61 *	0.1439	0.57
<b>Permanency Outcome 1 – Re-entry to Care</b> Of all children who entered out-of-home care in 2001, what percent were re-entering care within 12 months of a prior out-of-home care episode?	8.6 or less	25.5	1.35	T.B.D. **
<b>Permanency Outcome 2 – Timely Reunification</b> Of all children reunified from out-of-home care in 2001, what percent were reunified within 12 months of entry into out-of-home care?	76.2 or more	71.0	1.9	T.B.D. **
<b>Permanency Outcome 3 – Timely Adoption</b> Of all children adopted from out-of-home care in 2001, what percent were adopted within 24 months of their entry into out-of-home care?	32.0 or more	21.2 *	2.42	T.B.D. **
<b>Permanency Outcome 4 – Placement Stability</b> Of all children in out-of-home care during 2001 for less than 12 months, what percent experienced no more than 2 placement settings?	86.7 or more	93.8	Met Standard	N.A.

Note: \* Estimate based on state data sources

\*\* For the permanency items, the minimum improvement will be determined in negotiations with the federal government.

## Asbjornson, Karen

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**From:** Bablitch, Kelly  
**Sent:** Tuesday, May 18, 2004 12:58 PM  
**To:** Asbjornson, Karen  
**Subject:** FW:

I wanted to give you a heads up, as well.....

Let me know if you have questions.

-----Original Message-----

**From:** Bablitch, Kelly  
**Sent:** Tuesday, May 18, 2004 12:37 PM  
**To:** Matthews, Pam  
**Subject:**

Sue Conwell, a Child Welfare advocate, is writing an Op-Ed piece for this Sunday's Milwaukee Journal Sentinel's Crossroads. It is my understanding that she is urging the Audit Committee to approve Senator Moore's request for an Audit of the Bureau of Milwaukee Child Welfare.

As she was requesting information on the status of this request, and it is my understanding that the request was not yet approved. However, I urged her (a number of times) to contact your office today (as well as Sen. Roessler and the Legislative Audit Bureau) for additional information. As, I also indicated to her that there was public discussion of the Senator's request at a recent Audit Committee Hearing, and interest expressed by the Co-Chairs in further exploring the issue. I further noted that it was my understanding that the Co-Chairs' did host a meeting, which I was unable to attend to a conflict with a meeting of the Joint Committee on Finance, with some interested/involved parties to further discuss.

Please let me know if there is an update in the status of the Audit of which I should be aware.

Just wanted to ensure I gave you a heads-up,

Kelly Bablitch



WISCONSIN STATE LEGISLATURE

Joint Audit Committee

Committee Co-Chairs:

State Senator Carol Roessler

State Representative Suzanne Jeskewitz

5-19-04

Kelly -

Enclosed is  
the letter the  
co-chairs of Audit  
sent to DHFS. I  
hope you got a copy.

Also enclosed  
is materials we  
received back  
from DHFS for  
your review.

Raven Ashjensen  
Jt Leg. Audit  
Comm. Clerk

SENATOR ROESSLER

P.O. Box 7882

Madison, WI 53707-7882

(608) 266-5300 • Fax (608) 266-0423

REPRESENTATIVE JESKEWITZ

P.O. Box 8952

Madison, WI 53708-8952

(608) 266-3796 • Fax (608) 282-3624

## **Asbjornson, Karen**

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**From:** Matthews, Pam  
**Sent:** Tuesday, May 18, 2004 3:38 PM  
**To:** Asbjornson, Karen  
**Subject:** FW: BMCW

*Pamela B. Matthews  
Research Assistant  
Office of Representative Sue Jeskewitz  
24th Assembly District*

*Office: 608-266-3796  
Toll Free: 888-539-0024  
Pam.Matthews@legis.state.wi.us*

-----Original Message-----

**From:** Matthews, Pam  
**Sent:** Tuesday, May 18, 2004 1:31 PM  
**To:** Bablitch, Kelly  
**Subject:** RE:

Thanks. She called while we were at lunch. Sue is in today and I'm hoping she will have time to call her personally, otherwise I will. There has been no further meetings or discussions on doing an audit at this time. We are waiting for the departments reports to the federal government due at the end of June before taking another look at the merits of doing an audit.

I'll let you know when/if a meeting is scheduled after we get the reports.

Pam

*Pamela B. Matthews  
Research Assistant  
Office of Representative Sue Jeskewitz  
24th Assembly District*

*Office: 608-266-3796  
Toll Free: 888-539-0024  
Pam.Matthews@legis.state.wi.us*

-----Original Message-----

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**Sent:** Tuesday, May 18, 2004 12:37 PM  
**To:** Matthews, Pam  
**Subject:**

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As she was requesting information on the status of this request, and it is my understanding that the request was not yet approved. However, I urged her (a number of times) to contact your office today (as well as Sen. Roessler and the Legislative Audit Bureau) for additional information. As, I also indicated to her that there was public discussion of the Senator's request at a recent Audit Committee Hearing, and interest expressed by the Co-Chairs in further exploring the issue. I further noted that it was my understanding that the Co-Chairs' did host a meeting, which I was unable to attend to a conflict with a meeting of the Joint Committee on Finance, with some interested/involved parties to further discuss.

Please let me know if there is an update in the status of the Audit of which I should be aware.



Just wanted to ensure I gave you a heads-up,

Kelly Bablitch

**Asbjornson, Karen**

**From:** Matthews, Pam  
**Sent:** Wednesday, August 18, 2004 10:45 AM  
**To:** James Chrisman; Karen Asbjornson; Pam Shannon  
**Subject:** FW: Update  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

OK -  
 Yes - should  
 move  
 ahead.  
 Will speak to  
 quest. when  
 mt. of  
 Audit  
 Bureau.

We received this e-mail from Susan Conwell (the woman who wrote that editorial in the Journal Sentinel a couple months ago) last week. As you will see, she brings up a number of interesting points that an audit could pursue in addition to others that the Audit Bureau might point to. She also mentioned to me that BMCW has never been audited as other "new" programs that the state undertakes to see if it is being run smoothly and efficiently as the legislature intended.

As you may know, Sue asked me to call Assembly members and see what their interest is in auditing BMCW. Unfortunately, not all offices are cooperating with a response in a timely fashion. I have talked to Rep. Kerkman and she very much would like to vote on an audit scope. Sue has also discussed this with Sen. Darling who too wants to move forward. I am hoping to hear yet from the other Assembly offices, but regardless of their response Sue does believe that the LAB should start working on a scope for the next meeting. Sue recognizes that she and Carol haven't had a chance to discuss this yet, but hopes they can do so soon.

Let me know your thoughts on this subject,

Pam

*Pamela B. Matthews*  
*Research Assistant*  
*Office of Representative Sue Jeskowitz*  
*24th Assembly District*

*Office: 608-266-3796*  
*Toll Free: 888-539-0024*  
*Pam.Matthews@legis.state.wi.us*

-----Original Message-----

**From:** Susan Conwell [mailto:itbi.conwell@sbcglobal.net]  
**Sent:** Thursday, August 12, 2004 3:41 PM  
**To:** Matthews, Pam  
**Subject:** RE: Update

Pam,

Thanks so much for this email. Somehow, it got lost in the slew of email and I didn't see it until today.

I really do appreciate all that you and Rep. Jeskowitz are doing.

Just two things:

1) You asked if the system is better or worse now than when the county ran the system. I don't think I

08/19/2004

did a very good job answering that question. In all fairness, they are doing some things better, and some things worse.

-- Caseloads are much lower (an improvement), but the staff don't stay very long so they often don't have the skills to handle the smaller caseloads. Even with the smaller caseloads, kids and families seem to have more interruption in services and case planning because staff turnover is so high (around 51% -- #1 or #2 in the nation in staff turnover rates) ( a negative).

-- There is a lot more money for services (a positive). BMCW now serves just about the same number of kids that Milwaukee County did, but has twice the budget. That lets the agencies buy more services. However, there are lots of questions about whether the structure encourages double-dipping by agencies, and also, whether all the separate contracts haven't created inefficiencies in how services are delivered. (ie casemanagers do not transport kids, they hire transportation agencies to do it) (I will give you more on this) All of the reviews show that very few of the kids are receiving medical, dental or mental health services for example, even with the extra dollars (between 1/3 and 1/2 of kids with identified needs receive the services) The State should be doing better on this than the County did, but it isn't clear that they are.

-- There have been a number of financial scandals among the contracting agencies, but there were financial scandals under the county, too.

-- The creation of Safety Services is a positive. There was a series of stories about how Safety Services were underutilized back in March (ie a big drop in the number of at-risk kids sent to the program). With the media attention, the number of referrals to Safety Services is up again. So, Safety is a positive addition to BMCW -- questions about whether it is used as well as it can be, and whether some families aren't getting too many tries at Safety Services (Safety Services are voluntary -- probably not suitable for some of the more extreme drug cases)

-- The State is doing better at fast track adoptions of young children (a change in federal law also supported this), but hasn't made progress with teens aging out of foster care.

-- Accountability has been one of the primary issues raised by all advocates, foster families, etc. When the county ran the system, you could complain to your county supervisor. Now, you really don't have anyone to go to outside of the system. The Administration is proposing an ombudsman (a good idea). After much public discussion of the lack of accountability, the Partnership Council had almost full attendance at its last meeting. However, it took years to get there -- the Governor just finished making his appointments this summer. Getting the appointments to the council made, and getting the appointees to the meetings is a good start. I will wait to say there is accountability, as attendance for one partnership council meeting is not the same as accountability. The administration freely admits that its grievance resolution process needs a lot of work (grievances do not need to be put in writing, they are handled orally, etc.)

-- Safety: Child safety is a question mark. The measures are different. Hard to compare. Mary Zahn, the Journal -Sentinel reporter who wrote the investigative series, thought the State's record on safety was far worse than the State reported -- particularly for kids in foster care. The State's own recent PEM (program evaluation manager) report was pretty tough on its own contractors. This is a good issue for the audit as there are concrete cases and conflicting opinions. I only see the tough cases, so I don't have a good overall perspective on this. I would say the foster parent licensing agency is learning to do a better job, but that foster parents are more unhappy. I think foster parent turnover is as high as it has ever been. There really hasn't been a functioning foster parent association for years (this is definitely worse than it was under the county)

Overall, the State does some things better and some things worse. But the State has twice the money to work with on the same number of children. My hope is that we can learn to do things better so that the kids do better. That is a struggle for child welfare systems around the country. Foster care isn't accomplishing anything if it is just a parking place for children. Healing is the point. When the kids are getting the opportunities they need to heal and grow, then we can all be proud.

2) Is there ever a time when the Joint Audit Committee hears from people affected by the systems

subject to audit? I could suggest any number of people including:

- the adoptive parent of a child who was "misplaced" for three years (actually, BMCW had the foster/adoptive family pick up the child at the hospital, told the family they would be able to adopt the child, but never even opened the case -- child and family never received any services, then BMCW threatened to move the child because of the three-year illegal placement (it's own illegal placement).

- the grandmother of a child who was abused in foster care. Child is blind and has cerebral palsy. When grandmother took in the child after the failed foster care placement, she asked for help getting a braille machine and getting some basic help learning braille so she could help her granddaughter. BMCW closed the case without ever getting the braille machine to the family or any help to the grandmother for learning braille. We ended up doing those things for the family a year after the case closed. (By the by, the braille machine was free)

- the grandparents who are now legal guardians of their grandchildren. BMCW placed the grandchildren with the grandparents, then returned the grandchildren to their mother without the mother getting drug treatment. Within two weeks of being returned to Mom, the kids were picked up by the police after Mom left them with the babysitter and didn't come back. BMCW put Mom in safety services. Mom left the kids again. Grandparents gave up on BMCW and brought a private action on behalf of the children.

Anyway, I will write all these things up in a formal manner. Would be happy to have families speak to any members of the committee, or whatever else you may suggest.

Sue

"*Matthews, Pam*" <[Pam.Matthews@legis.state.wi.us](mailto:Pam.Matthews@legis.state.wi.us)> wrote:

Hi Susan,

My brain is not always operating on full steam and I don't think I told you this yet!

The hearing on August 11th regarding the BMCW piece will only be an informational hearing with invited testimony only. The co-chairs decided to hear from the department on how they see things from their current perspective as to where they see the problems and how they plan to address them based on the recent federal audit. Based on the testimony and questions asked by committee members, the Audit Bureau will draft an audit scope that will then come before the committee for a vote. Prior to that the co-chairs are hoping to meet with the Audit Bureau for a preview of the scope and possible tweaking. That date is set tentatively for 9/16 so if you can send us your thoughts before then it could be useful to the co-chairs as they decide what they would like to see in the scope that is presented before the committee.

I hope you are having a SUPER vacation!

Pam

*Pamela B. Matthews*  
*Research Assistant*  
*Office of Representative Sue Jeskewitz*  
*24th Assembly District*

Office: 608-266-3796  
 Toll Free: 888-539-0024  
[Pam.Matthews@legis.state.wi.us](mailto:Pam.Matthews@legis.state.wi.us)

-----Original Message-----

**From:** Susan Conwell [<mailto:itbi.conwell@sbcglobal.net>]

08/19/2004

**Sent:** Wednesday, July 28, 2004 7:48 PM  
**To:** Matthews, Pam  
**Subject:** Update

Hi Pam,

It is 7:45 p.m., and I just finished my little talk for tomorrow morning. Doesn't look like I will have time to pull together a list for tomorrow morning.

Will keep working.

Thanks so much for your interest.

Sue

Susan Conwell  
Co-Director  
In Their Best Interests, Inc.  
2929 W. Highland Boulevard  
Milwaukee, WI 53208  
Phone: 414-344-1220 ext. 13  
Fax: 414-344-1230

**Asbjornson, Karen**

---

**From:** Matthews, Pam  
**Sent:** Thursday, August 26, 2004 7:59 AM  
**To:** James Chrisman; Karen Asbjornson; Pam Shannon  
**Subject:** FW: Nice job

FYI...

*Pamela B. Matthews  
Research Assistant  
Office of Representative Sue Jeskewitz  
24th Assembly District*

*Office: 608-266-3796  
Toll Free: 888-539-0024  
Pam.Matthews@legis.state.wi.us*

-----Original Message-----

**From:** Susan Conwell [mailto:itbi.conwell@sbcglobal.net]  
**Sent:** Tuesday, August 24, 2004 10:19 AM  
**To:** Matthews, Pam  
**Subject:** Nice job

Pam,

Saw the article today. Congratulations. Let me know when you get a date.

As an FYI, a lawsuit settlement report was released at a public meeting yesterday. There are areas where the BMCW continues to show progress (reduced case load size, etc.), but still problems with staff turnover, getting kids to the doctor, etc.

If you take a look at the report, you will also find some "hiccups" in the reporting. I wrote a letter to the parties about this. The data that is presented in some cases is legal and in compliance with the settlement, but otherwise meaningless. Some of the examples are in the letter. Just want you to be aware that the report requires some translating.

Sue

August 23, 2004

Governor James Doyle  
State of Wisconsin  
P.O. Box 7863  
Madison, WI 53707-7863

Attorneys Marcia Lowry and Eric Thompson  
Children's Rights, Inc.  
404 Park Avenue South, 11<sup>th</sup> Floor  
New York, NY 10016

Dear Governor Doyle and Attorneys Lowry and Thompson:

Today's release of data in the Period 2 Settlement Agreement of the *Jeanine B.* lawsuit on behalf of foster children in Milwaukee County presents some good news. We are pleased to see the Bureau of Milwaukee Child Welfare making progress toward meeting settlement goals, particularly the reduction in case load sizes and progress toward meeting the requirements of the Adoption and Safe Families Act.

At the same time, we are concerned about the usefulness of some of the data reported, and whether or not the data reported is truly representative of the situation of foster children in Milwaukee County. Specifically, the *Jeanine B.* settlement agreement made use of a baseline in the measure of length of stay that is no longer representative of the number of children in foster care here.

Item I.B.4, Length of Stay, measures how many children are in foster care for more than 24 months. According to the measure established in the settlement agreement (a measure that uses a baseline of 5533 children in foster care), only 32.1% of Milwaukee foster children are in foster care for 24 months or longer. This 32.1% number meets the settlement requirement that no more than 35% of foster children can be in foster care for 24 months or more. However, there are nowhere near 5533 children in foster care in Milwaukee County. The number of children in foster care has held steady between 3400 to 3500 for the first six months of 2004. Using the actual number of children in foster care as a baseline would show that approximately 49% of foster children have been in foster care for 24 months or more – a number that is not even close to compliance with 35% goal established in the settlement agreement.

The point of the *Jeanine B.* lawsuit was to improve conditions for real live foster children in Milwaukee County, not to show improvements against a baseline that overestimates the number of children in foster care by more than 2000 children.

We respectfully request that:

- 1) you reconsider the baseline in the settlement agreement to show the actual number of children in foster care, or
- 2) at a minimum, calculate the data in the reports to show both the settlement baseline and the actual number of children in foster care.

One of the most positive aspects of the public settlement reports is the growing attendance at the public meetings. Many in the foster care community discuss how foster children are truly the children of the community. These meetings are a great way for the community to get to know their foster children.

In that light, it is critical that the settlement reports meet the intent as well as the letter of the settlement. As another example, today's settlement report presents the safety of children in foster care as both good news and bad news. BMCW meets the safety standard using six month data, but projects that it will fail to meet the standard by the end of the year using its own annualized data. Still, the item is presented as a success. Surely, there must be a way to present the data so that the community can be engaged in a broader discussion of how to keep children safe in foster care, rather than using the same data to show that kids are both safe and not safe, depending on how one looks at the data.

We hope that future Settlement Reports will provide more comprehensive information regarding re-entry rates, maltreatment of foster children in foster home placements, staff turnover rates, and multiple placements of children in foster care.

We support the progress that has been made under the settlement agreement. At the same time, we hope that the parties can use the opportunity of the settlement reports to get straightforward information to the community about how foster children are faring. Clearly, BMCW is making progress toward settlement goals. That progress is blurred when outdated baselines are included without explanation, and when the same data is presented as good news new at the halfway point, and bad news at the finish line.

We know that you share our commitment to better outcomes and life opportunities for foster children. We will all do a better job of helping foster children if we can keep our focus on the real children in real foster placements.

Thank you for your consideration.

Sincerely,

Susan Conwell  
Co-Director



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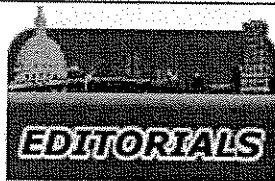
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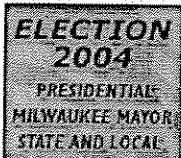
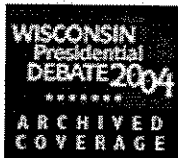
# Editorial: Better way to child welfare

From the Journal Sentinel

Posted: May 18, 2004

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The child-welfare safety net is supposed to catch kids in harm's way at home. In truth, many children fall through gaping holes in that net in Wisconsin and around the country. A national report, released Tuesday after a year of intensive study, suggests how policy-makers could restring parts of the net to eliminate several holes.

The document, put out by the Pew Commission on Children in Foster Care, is compelling, and its recommendations, or proposals like them, merit adoption. Every kid deserves a safe, stable, nurturing home. Besides, when kids go without that cocoon, society pays many times over - in crime and other social ills. Working with Pew in southeastern Wisconsin was the Child Welfare Philanthropy Group, a consortium of 12 foundations brought together by a member of the Greater Milwaukee Foundation.

The protection of abused and neglected children does pose tricky issues. Caseworkers must not pause to pull children out of homes where they are in imminent danger, but must pause where the danger is not so near and could fade altogether if the parents got help. Once removed, children shouldn't stay too long in foster homes - temporary arrangements, after all. They should return to their original homes or get new, permanent homes. Right now, unfortunately, the system is making too many wrong calls on both sides of these issues.

The Pew report focuses on two aspects of the child-welfare system: federal financing and state courts. The report recommends restructuring federal aid to better support adoption of foster kids and to better enable relatives or others to become permanent guardians of children. It also urges that states get money to help develop a full continuum of child-welfare services. And it recommends elimination



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of the financial incentive states now have to place kids in foster homes when a better course is to keep them in their own homes and help their parents.

The commission would strengthen children's courts, which rule on the fate of kids suspected of being abused or neglected, by requiring courts to track their caseloads and thereby to identify trends and problem areas and by establishing protocols for more effective collaboration between courts and child welfare agencies. Other strengthening measures would include assigning to the chief justice of the state's top court the duty of organizing the court system to better serve kids, training children's court judges and promoting standards for children's courts.

Christopher Foley, chief judge at Milwaukee County's Children's Court, says the courts here have made some improvements called for in the report. Good. Now, federal and state policy-makers ought to adopt this sensible report's recommendations.

From the May 19, 2004 editions of the Milwaukee Journal Sentinel

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WISCONSIN STATE LEGISLATURE

Joint Audit Committee

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

May 26, 2004

Ms. Helene Nelson, Secretary  
Department of Health and Family Services  
1 West Wilson Street, Room 650  
Madison, Wisconsin 53703

Dear Ms. Nelson:

Thank you for letter of April 27, 2004, in which you respond to our request for additional information related to Wisconsin's Child Welfare Program Enhancement Plan and the Bureau of Milwaukee Child Welfare's Settlement Agreement. We appreciate your responsiveness to our requests for additional information.

In our letter to you, dated March 24, 2004, we indicated a series of steps that the Joint Legislative Audit Committee would follow in determining whether to initiate an independent audit at this time of the operation, management, and performance of the child welfare program in Milwaukee County by the Legislative Audit Bureau. Your recent letter, and the additional information, will serve to better inform the Committee's decision. To that end, we look forward to receiving a copy of the state Child and Family Services Plan for federal fiscal year 2005 when it is submitted in June.

We anticipate that the Committee will hold a public hearing to consider these issues in late summer or early fall. At that time, we will appreciate your willingness to testify on the current status of the program and the Department's progress in implementing program improvements to address the findings presented in these various oversight reports.

Thank you again for your responsiveness.

Sincerely,

Senator Carol A. Roessler, Co-chair  
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz, Co-chair  
Joint Legislative Audit Committee

cc: Senator Robert Cowles  
Senator Alberta Darling  
Senator Jeffrey Plale  
Senator Julie Lassa

Representative Samantha Kerkman  
Representative Dean Kaufert  
Representative David Cullen  
Representative Mark Pocan

Senator Gwendolynne Moore

Janice Mueller  
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Why is there reluctance to monitor child welfare here?

By SUSAN CONWELL

Posted: June 5, 2004

What is the difference between the state-run motor pool and the state-run Bureau of Milwaukee Child Welfare?

Apparently, this question is giving the Legislature a little trouble.

Consider:

One attorney general drives one state car off the highway in a much publicized drunken driving incident. Within weeks, the entire state motor pool is subject to an audit.

The state pioneers a new child welfare system affecting more than 20,000 Milwaukee children in the first six years of operation. A motion made by Sen. Gwendolynne Moore (D-Milwaukee), adopted unanimously by the Joint Finance Committee in 1999, requested that the Legislative Audit Bureau audit this new child welfare system and report back by Jan. 1, 2003.

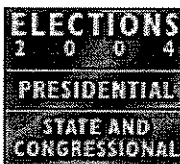
The audit did not happen. The Journal Sentinel investigates this system one year after the audit was supposed to happen and notes editorially that "the foster care system is failing its mission in Milwaukee County."

Still no audit.

Could it be that the motor pool inspires more political will than Milwaukee children? Is an unauthorized \$60 car wash really more

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scandalous than a 7-year-old covered in feces with "almost feral" behavior? Or is it just that we know what to look for in the motor pool but feel overwhelmed by foster care?

I'm hoping it is the latter. Child welfare is more complex than the motor pool. Still, it isn't really that much more complex than W-2, which is on its second comprehensive audit (one in 2001, and one ongoing, plus several smaller targeted audits).

Let me give you the skinny. The State of Wisconsin undertook a bold experiment to improve Milwaukee's child welfare system nearly a decade ago. Legislation in 1995 authorized the state takeover of Milwaukee County's child protection system and created the Bureau of Milwaukee Child Welfare. BMCW contracts with private agencies to provide foster care and in-home safety services.

Several years of upheaval followed implementation of the plan. Few of the original contractors remain - some agencies no longer exist, others were forced to withdraw.

Now that the dust has settled, here's where we are: In 1994, there were 3,323 children on average per month in foster care. In 2004, there are 3,368. But the annual budget in 1994 was \$59 million. And in 2004, it is \$112 million.

The odd thing is that the system cost just about the same at its peak in 1999 when the system had 7,900 children in foster care.

Perhaps you are wondering where the money goes. Or thinking that child protection is not about money, but about children.

We all have our biases here. Let me state mine:

**I am a child advocate.** I want kids to be doing well and I believe in investing in children. If kids were coming out of this system and doing well or at least completing school, I would be nominating the system for an award, not writing this article. There are still plenty of kids and families who need more help, not less.

**There are no easy answers to what goes wrong in families or in society.** Government should be encouraged to try new ideas, and we the electorate cannot expect infallibility. There will be mistakes. The issue is whether we have suitable systems in place to keep mistakes to a minimum and to remedy mistakes when they occur.

That being said, I can't explain why the Legislature has consistently taken a pass on auditing the Bureau of Milwaukee Child Welfare. Yes, we should be investing in children, but we should be taking the usual precautions to make sure that our investment is providing the returns that we are looking for such as child safety and well-being.



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Caring about kids doesn't mean that we should forget about the dollars. We should be asking where the money goes - particularly since we know where it *isn't* going.

The rate received by foster parents for caring for children hasn't really changed in the last decade. Wisconsin's foster care rate remains among the lowest in the nation. Starting case manager salaries haven't risen dramatically, either. In fact, some positions now have lower salaries or fewer benefits than under the old county system that hired social workers.

Some have argued that the Department of Health and Family Services is fighting an audit because administrators are afraid of what the audit might show. Can it be worse than what we have already seen on videotape? Or the pending release of a child fatality investigation? Seems we are already getting to see a pretty steady stream of things we don't want to see. An audit would help us look at the whole picture and move forward.

Others argue that an ongoing academic study serves much the same purpose as an audit. Let me put this argument to rest:

No study of BMCW has ever followed the dollars, much less made an effort to connect investments to outcomes.

W-2 is one of the most studied welfare reform programs in the nation, but that hasn't stopped anyone from auditing W-2.

Above and beyond the arguments, the plain bare facts of the system's financial problems cry out for an audit. Just this year, \$375,000 that was to be spent on services for kids was used to balance one contractor's books. Another contractor's financial woes made headlines twice before April. And I am not even mentioning the calls we get on behalf of kids who have not received medical care, have clothes that don't fit or did not receive court-ordered adaptive technology to help with their disabilities. Just what are we waiting for?

We should be thinking of the audit as an opportunity. It will highlight what BMCW is doing right - such as increasing adoptions and reducing caseloads - as well as looking for areas of improvement.

The timing is also right. Gov. Jim Doyle just unveiled his Kids First initiative, which includes several positive efforts on behalf of children in foster care. Doyle proposes to increase the foster care rate to help retain and attract foster parents. He is exploring ways to reduce staff turnover (at 51% annually, BMCW's turnover rate is among the highest in the nation) and wants to extend health insurance benefits for children turning 18 while in foster care.

The only partisan criticism is that Doyle is "spending money he

doesn't have." Perhaps there are efficiencies to be gained in the current system that will help support these initiatives in Milwaukee County. It is certainly worth a look.

Still struggling with what an audit might accomplish? Here are my recommendations:

1) Review how much of state spending leads to capacity building for families and kids (i.e. safety and healing) vs. how much is spent on administration of multiple systems serving similar functions. Are there opportunities for consolidation and streamlining of processes?



For example, BMCW is already looking at ways to coordinate the foster family and adoptive family assessments. Most adoptions are made by foster parents; all adoptive families must become foster parents for at least a little while. It makes sense to coordinate the processes. This effort and others like it should be encouraged.



2) Review BMCW safety practices. The Journal Sentinel investigation found 14% of foster children in a random sample reporting some type of abuse or neglect in placement. That is a much higher rate than reported by BMCW.

Also of concern are reports that independent investigators are questioning children in front of their alleged abusers. Are all investigators following established BMCW procedures? Are procedures stated clearly enough for investigators to follow?

3) Require accountability. The BMCW Partnership Council rarely manages to attract enough members to vote on important issues and hasn't reviewed a BMCW budget in years. The attendance for this council doesn't do the kids or the active members justice. Let's find a way to make this council work or find another way to meet this need.

4) Expand the role of the community. There are at least two areas needing exploration. Part of the justification for this new system was to put services in the neighborhoods where the children and families live. Are we succeeding? If not, what does BMCW need from the community, and how do we improve BMCW community connections?

OK, Legislature, let's get to that overdue audit. If not, I will be forced as an advocate to call for the mass redistribution of the state motor pool to state foster children. With a car assigned to each child, an audit can't be far behind.

Please don't make me do it. I would rather be helping kids find safe, loving homes.

*Susan Conwell is co-director of In Their Best Interests, a non-profit Milwaukee organization that serves as an advocate for children in*

*foster and kinship care.*

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## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

June 30, 2004

TO: Members  
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Health and Family Services: Section 13.10 to Transfer Funding for the State Foster Care and Adoption Assistance Program -- Agenda Item VI

The Department of Health and Family Services (DHFS) requests that the Committee approve the transfer of \$988,000 GPR from the Milwaukee child welfare aids appropriation to the state foster care and adoption assistance appropriation in 2003-04 to fund payments for foster care and adoption assistance for children with special needs. [The Department's June 7, 2004, letter to the Committee inadvertently identifies the amount of the requested transfer as \$988,800 GPR.]

### BACKGROUND

The state serves as guardian for children whose parents' rights have been terminated and who are determined to have special needs. DHFS is responsible for providing out-of-home care for these children and adoption services such as recruitment, orientation, and study of prospective adoptive families.

DHFS makes foster care payments on behalf of these children who are placed in out-of-home care. These payments are based on the uniform foster care rate established in statute. For children with special needs, DHFS may increase the statutory basic foster care maintenance rates with supplemented payments in accordance with conditions specified in administrative rule.

DHFS provides adoption assistance to certain families who adopt children with special needs in cases where the payment is necessary to assure the child's adoption. Adoption assistance is provided to support monthly maintenance, medical, and nonrecurring adoption expenses. Adoption assistance maintenance payments are equal to the foster care payment that was made on behalf of the child prior to the child's adoption.

Foster care and adoption assistance payments are supported with state GPR funds and matching federal funds authorized under Title IV-E of the federal Social Security Act for eligible children.

## ANALYSIS

*State Foster Care and Adoption Assistance Program.* In 2003-04, DHFS is budgeted \$67,040,100 (\$35,381,100 GPR and \$31,659,000 FED) to fund out-of-home care costs for children under the guardianship of the state and to provide adoption assistance payments to people who adopt children with special needs. This program supports payments for children residing in counties other than Milwaukee County. Funding for foster care and adoption assistance payments for children in Milwaukee County is included in the budget for the Bureau of Milwaukee Child Welfare.

Based on a review of expenditure data through May, 2004, it is estimated that \$66,520,900 (\$36,369,100 GPR and \$30,151,800 FED) will be needed to fund state foster care and adoption assistance payments in 2003-04. Total estimated expenditures (all funds) will not exceed the amount budgeted in Act 33 (the 2003-05 biennial budget act) for the program. However, a greater share of the costs of these payments will be supported by GPR than had been assumed in Act 33. Therefore, an additional \$988,000 GPR is needed to fully fund this program in 2003-04. The GPR funding shortfall would have been \$1,279,100 greater except that DHFS made a one-time, retroactive Title IV-E claim of \$1,279,100, based on the recommendation of the Legislative Audit Bureau (LAB). In a recent audit of federal funding, the LAB determined that DHFS could claim Title IV-E funds for a group of children in the adoption assistance program for which DHFS was not claiming. After the LAB clarification, DHFS claimed the funds retroactively to January, 2002, resulting in a corresponding amount of one-time GPR savings in 2003-04.

GPR costs in 2003-04 are higher primarily because the amount of available federal funding is lower. Total expenditures in the foster care program were less than the amount budgeted in Act 33, but the Title IV-E reimbursement rate for the foster care program is much lower than projected. Act 33 assumed a reimbursement rate of 27.67%; the actual reimbursement rate for 2003-04 is 13.71%. In the adoption assistance program, total expenditures are higher than the Act 33 levels due to a higher number of children in the program than projected, but, again, the Title IV-E reimbursement rate is slightly lower than projected. Act 33 assumed a reimbursement rate of 49.40%; the actual rate for 2003-04 is 47.22%.

The Title IV-E reimbursement rate for maintenance payments is based on three factors: (a) the number of Title IV-E eligible and reimbursable children; (b) the percentage of the payments that are eligible for reimbursement; and (c) the federal financial participation rate (approximately 58% for 2003-04). These three factors are multiplied together to get the reimbursement rate under Title IV-E. Therefore, a change in any of the factors can change the reimbursement rate. DHFS believes that the decrease in the reimbursement rate in 2003-04 is due to a drop in the number of IV-E