

EXECUTIVE SUMMARY
Final Report: North Dakota Child and Family Services Review
March 2009

INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the State of North Dakota. The CFSR is the Federal Government's program for assessing the performance of State child welfare agencies with regard to achieving positive outcomes for children and families. It is authorized by the Social Security Amendments of 1994 requiring the U.S. Department of Health and Human Services (HHS) to promulgate regulations for reviews of State child and family services programs under titles IV-B and IV-E of the Social Security Act. The CFSR is implemented by the Children's Bureau (CB) of the Administration for Children and Families (ACF) within HHS.

The North Dakota CFSR was conducted the week of April 21, 2008. The period under review was from April 1, 2007, to April 25, 2008. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the North Dakota Children and Family Services (CFS) Division
- The State Data Profile, prepared by CB, which provides State child welfare data for fiscal year (FY) 2004, FY 2005, and the 12-month CFSR period ending March 31, 2006
- Reviews of 65 cases at 3 sites across the State (31 cases in Cass County, 17 cases in Burleigh/Morton County, and 17 cases in Ward County)
- Interviews or focus groups (conducted at all three sites and at the State level) with stakeholders, including, but not limited to, children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, service providers, court personnel, and attorneys

Information from each resource is presented for all of the items reviewed.

Background Information

The CFSR assesses State performance on 23 items relevant to 7 outcomes and 22 items pertaining to 7 systemic factors. In the Systemic Factors Section B of the report, each item incorporated in each systemic factor is rated as either a Strength or an Area Needing Improvement (ANI) based on whether State performance on the item meets Federal policy requirements. Information relevant to each item comes from the Statewide Assessment and the stakeholder interviews conducted during the week of the onsite CFSR. The overall rating for the systemic factors is based on the ratings for the individual items incorporated in the systemic factor. For any given systemic factor, a State is rated as being either "in substantial conformity" with that factor (a score of 3 or 4) or "not in substantial conformity" with that factor (a score of 1 or 2).

Items relevant to the seven outcomes are discussed in the Outcomes Section A of the report. An overall rating of Strength or ANI is assigned to each of the 23 items, depending on the percentage of cases that receive a Strength rating in the case reviews. An item is assigned an overall rating of Strength if 90 percent of the applicable cases reviewed are rated as a Strength. Performance ratings for each of the seven outcomes are based on item ratings for each case. A State may be rated as having Substantially Achieved, Partially Achieved, or Not Achieved the outcome. The determination of whether a State is in substantial conformity with a particular outcome is based on the percentage of cases determined to have substantially achieved the outcome. Specifically, for a State to be in substantial conformity with an outcome, 95 percent of the cases reviewed must be rated as having substantially achieved the outcome.

A State that is not in substantial conformity with a particular outcome or systemic factor must develop and implement a Program Improvement Plan (PIP) to address the areas of concern associated with that outcome or systemic factor.

ACF has set very high standards of performance for the CFSR. The standards are based on the belief that because child welfare agencies work with our country's most vulnerable children and families, only the highest standards of performance should be acceptable. The focus of the CFSR process is on continuous quality improvement; high standards are set to ensure ongoing attention to the goal of achieving positive outcomes for children and families with regard to safety, permanency, and well-being.

It should be noted, however, that States are not required to attain the 95-percent standard established for the CFSR Onsite Review at the end of their PIP implementation. CB recognizes that the kinds of systemic and practice changes necessary to bring about improvement in particular outcome areas often are time-consuming to implement. Also, improvements are likely to be incremental rather than dramatic. Instead, States work with CB to establish a specified amount of improvement or implement specified activities for their PIP. That is, for each outcome or item that is an ANI, each State (working in conjunction with CB) specifies how much improvement the State will demonstrate and/or the activities that it will implement to address the ANIs and determines the procedures for demonstrating the achievement of these goals. Both the improvements specified and the procedures for demonstrating improvement vary across States. Therefore, a State can meet the requirements of its PIP and still not perform at the 95-percent (for outcomes) or 90-percent (for items) level as required by the CFSR.

The second round of the CFSR assesses a State's current level of functioning with regard to achieving desired child and family outcomes by once more applying high standards and a consistent, comprehensive, case review methodology. This is intended to serve as a basis for continued planning in areas in which the State still needs to improve. The goal is to ensure that program improvement is an ongoing process and does not end with the closing of the PIP.

Because many changes have been made in the onsite CFSR process based on lessons learned during the first round and in response to feedback from the child welfare field, a State's performance in the second round of the CFSR is not directly comparable to its performance in the first round, particularly with regard to comparisons of percentages. Key changes in the CFSR process that make it difficult to compare performance across reviews are the following:

- An increase in the sample size from 50 to 65 cases
- Stratification of the sample to ensure a minimum number of cases in key program areas, resulting in variations in the number of cases relevant for specific outcomes and items
- Changes in criteria for specific items to increase consistency and to ensure an assessment of critical areas, such as child welfare agency efforts to involve noncustodial parents

CFSR Findings Regarding Outcomes

North Dakota achieved substantial conformity with one of the seven CFSR outcomes, Well-Being Outcome 2 (Children receive services to meet their educational needs). Safety Outcome 1 (Children are, first and foremost, protected from abuse and neglect) was substantially achieved in 89.3 percent of the cases; Well-Being Outcome 3 (Children receive services to meet their physical and mental health needs) was substantially achieved in 86.4 percent of the cases; and Permanency Outcome 2 (The continuity of family relationships and connections is preserved) was substantially achieved in 82.5 percent of the cases reviewed. Safety Outcome 2 (Children are safely maintained in their homes whenever possible and appropriate) was substantially achieved in 70.8 percent of the applicable cases; Permanency Outcome 1 (Children have permanency and stability in their living situations) was substantially achieved in 70 percent of the cases; and Well-Being Outcome 1 (Families have enhanced capacity to provide for children's needs) was substantially achieved in 53.8 percent of the cases.

North Dakota achieved overall ratings of a Strength for the following individual items:

- Timeliness of investigations (item 1)
- Repeat maltreatment (item 2)
- Services to prevent removal (item 3)
- Permanency goal for child (item 7)
- Reunification, guardianship, or placement with relatives (item 8)
- Placing children in close proximity to their parents (item 11)
- Preserving connections (item 14)
- Educational needs of the child (item 21)
- Physical health of the child (item 22)

Additionally, North Dakota met the national standard for the measure assessing the absence of maltreatment recurrence, Permanency Composite 2 (Timeliness of adoptions), and Permanency Composite 3 (Permanency for children in foster care for extended time periods).

North Dakota did not meet the national standards for the measure pertaining to the absence of maltreatment in foster care. The State also did not meet the national standards for Permanency Composite 1 (Timeliness and permanency of reunifications) and Permanency Composite 4 (Placement stability).

The CFSR identified areas of concern with regard to achieving outcomes for children and families. Safety Outcome 2 (Children are safely maintained in their homes whenever possible and appropriate) was determined to be substantially achieved in 70.8 percent of the cases reviewed. North Dakota's lowest rating within Safety Outcome 2 was 74 percent for risk assessment and safety management (item 4).

Permanency Outcome 1 (Children have permanency and stability in their living situations) was determined to be substantially achieved in 70 percent of the cases reviewed. Within Permanency Outcome 1, North Dakota's lowest rating was for item 9, which pertains to achieving adoption in a timely manner (62.5 percent). Performance on this item may be attributed, at least in part, to delays due to the agency not filing for termination of parental rights (TPR) in a timely manner and continuances granted by the court. Item 10, which pertains to Other Planned Permanent Living Arrangements (OPPLA), was rated as a Strength in 67 percent of the applicable cases. This was attributed, at least in part, to the agency not providing the child with sufficient services to assist in transitioning to independent living. Item 5, which pertains to foster care reentries, was rated a Strength in 79 percent of the cases. Stakeholders reported that reentries into foster care occur when support and services to meet the individual needs of the family after reunification have not been provided.

Concerns were identified with regard to Well-Being Outcome 1 (Families have enhanced capacity to provide for children's needs), which was determined to be substantially achieved in 53.8 percent of the cases. Item 17, which pertains to meeting the needs of children, parents, and foster parents, was rated a Strength in 60 percent of the cases; item 18, child and family involvement in case planning, was rated as a Strength in 65 percent of the applicable cases; item 19, caseworker visits with child, was rated as a Strength in 85 percent of the cases; and item 20, caseworker visits with parents, was rated as a Strength in 59 percent of the cases.

CFSR Findings Regarding Systemic Factors

With regard to systemic factors, North Dakota was found to be in substantial conformity with five of the seven systemic factors:

- Statewide Information System
- Quality Assurance (QA) System
- Training
- Agency Responsiveness to the Community
- Foster and Adoptive Parent Licensing, Recruitment, and Retention

In regard to the Statewide Information System, stakeholders reported that CFS maintains multiple data systems to capture pertinent child welfare information. The Comprehensive Child Welfare Information Payment System (CCWIPS) maintains data on children in foster care. Stakeholders expressed the opinion that CCWIPS captures important information related to permanency and well-being of children in foster care, including their locations, demographics, legal status, case goals, and foster care payments.

North Dakota is in substantial conformity on the QA System systemic factor. CFS ensures that children in foster care are provided quality services that protect the safety and health of children. Stakeholders reported that the Single Plan of Care (SPOC) is a check and balance for ensuring the needs of children are met, and the Foster Care Child and Family Team (FCCFT) meeting is used to monitor the quality of services for foster children. Stakeholders reported that the North Dakota Child and Family Services Review QA (ND-CFSR QA) process is modeled after the Federal CFSR, including stakeholder interviews and an exit conference. Each region is reviewed annually. Findings from the ND CFSR QA process are used to implement changes in practice.

With regard to the Training systemic factor, CFS contracts with the University of North Dakota to operate a training center that provides the required pre-service training, which is generally viewed as excellent. Additionally, the university conducts an annual assessment of the training needs of caseworkers and other CFS staff and then provides ongoing training for CFS staff based on the results. North Dakota has a well-established pre-service and ongoing training program for foster and adoptive parents.

North Dakota is in substantial conformity on the Agency Responsiveness to the Community systemic factor. The general finding in the 2008 CFSR was that the State includes the input of stakeholders in the development of Annual Progress and Services Reports (APSRs). The CFSR found that there is coordination among CFS and other Federally assisted programs to meet the service needs of the children and families served by the agency. Additionally, the State consistently engages in ongoing consultation with key stakeholders to obtain their input into the goals and objectives of the Child and Family Services Plan (CFSP).

North Dakota is in substantial conformity with the systemic factor of Foster and Adoptive Licensing, Recruitment, and Retention. The State has implemented standards for family foster homes, group homes, and child care institutions. Stakeholders reported that the State has consistent licensing standards that are applied equally to all licensed or approved family foster homes or child care institutions. Additionally, the State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic diversity of children in the State for whom foster and adoptive homes are needed. However, the recruitment efforts have not produced as many Native American homes as are needed.

North Dakota was not in substantial conformity with two of the seven systemic factors, Case Review System and Service Array.

Although the State has policies and procedures in place for each child to have a written case plan that is developed jointly with the child and the child's parents, the Onsite Review data indicate that parents, particularly fathers and youth, are not always involved in the development of the case plan. There also have been some delays in filing for TPR consistent with the Adoption and Safe Families Act (ASFA). Additionally, while the State has a process for notifying foster, adoptive, and relative caregivers of hearings, the opportunity for caregivers to be heard in court is inconsistent across jurisdictions.

North Dakota has a large array of services; however, the services are frequently not available in rural areas of the State. Medical, dental, and mental health services, and substance abuse treatment, were among the key services with limited availability statewide. Additionally, it is sometimes difficult to individualize services for families.

The specific findings with regard to the State's performance on the safety and permanency outcomes are presented in table 1 at the end of the Executive Summary. Findings regarding well-being outcomes are presented in table 2. Table 3 presents the State's performance with regard to the seven systemic factors assessed through the CFSR. In the following section, key findings are summarized for each outcome and systemic factor.

I. KEY FINDINGS RELATED TO OUTCOMES

Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect

Safety Outcome 1 incorporates two indicators. One pertains to the timeliness of initiating a response to a child maltreatment report (item 1), and the other relates to the recurrence of substantiated or indicated maltreatment (item 2).

North Dakota did not achieve substantial conformity with Safety Outcome 1. It should be noted that taken individually, the two indicators used to assess this outcome were rated as a Strength in more than 90 percent of the cases. However, because some of the cases rated as ANIs were different for each indicator, there were three cases for which the outcome was found to be partially achieved or not achieved. As a result, when the two indicators are considered together, the ratings do not meet the required 95 percent substantial achievement for the outcome. Safety Outcome 1 was substantially achieved in 100 percent of Ward County cases, 86 percent of Cass County cases, and 83 percent of Burleigh/Morton County cases. The State met the national standard for the measure assessing the absence of maltreatment recurrence, but the State did not meet the national standard for the measure assessing absence of maltreatment of children in foster care.

North Dakota did not achieve substantial conformity with Safety Outcome 1 in the 2001 CFSR. Item 1, timeliness of investigations, was determined to be a Strength, and item 2, recurrence of maltreatment, was determined to be an ANI. A key concern identified during the 2001 CFSR was that repeat maltreatment was higher than the national standard. As part of the PIP, North Dakota implemented the Wraparound Practice Model and the QA system to improve performance on repeat maltreatment. Additionally, the State developed a guide for child protection teams on decision-making processes and provided training for caseworkers on recognizing and addressing safety and risk issues. The State also developed a system in which all cases with repeat maltreatment and cases with five or more reports were reviewed. North Dakota conducted an analysis of the Child Abuse and Neglect Data System to examine factors that contribute to higher levels of repeat maltreatment.

During the 2008 CFSR, both items included in this outcome were rated as a Strength. Stakeholders expressed the opinion that investigations are generally initiated in a timely manner, and when maltreatment recurs it is generally related to substance abuse.

Stakeholders at the review sites and at the State level interviewed during the Onsite Review commented on the administrative assessment process to assess referrals of recurring maltreatment. According to stakeholders and the Statewide Assessment, if a new maltreatment report is received on a family currently receiving services, the assigned caseworker will assess the allegations in the new report. The caseworker has 31 days to complete the assessment on an existing case; however, a maltreatment disposition is not made.

If the new report could result in criminal charges, the report is assigned to a child protective services caseworker for a full assessment. According to internal and external stakeholders, more education and direction is needed on the administrative assessment process.

Safety Outcome 2: Children are safely maintained in their homes when possible and appropriate

Performance on Safety Outcome 2 is assessed through two indicators. One indicator (item 3) addresses the issue of the agency's efforts to prevent children's removal from their homes by providing services to the families that ensure children's safety while they remain in their homes. The other indicator (item 4) pertains to the agency's efforts to reduce the risk of harm to the children.

North Dakota did not achieve substantial conformity with Safety Outcome 2. The outcome was determined to be substantially achieved in 70.8 percent of the cases reviewed, which is less than the 95 percent or higher required for a rating of substantial conformity. Safety Outcome 2 was substantially achieved in 81 percent of Cass County cases, 65 percent of Ward County cases, and 59 percent of Burleigh/Morton County cases.

North Dakota did not achieve substantial conformity with Safety Outcome 2 in the 2001 CFSR. Item 3, services to protect children, was rated as a Strength; however, item 4, risk of harm to children, was rated as an ANI. A key concern identified during the 2001 CFSR was that risk of harm to children was not adequately addressed, which resulted in children being at risk of harm while remaining in their homes. Additionally, in some cases, safety and risk concerns of children were present in the home, but the family refused recommended services and the cases were closed.

As part of the PIP, North Dakota implemented the Wraparound Practice Model and the QA system to improve performance related to Safety Outcome 2. Additionally, the State developed a guide for child protection teams on decision-making processes and provided training for caseworkers for recognizing and addressing safety and risk issues.

In the 2008 CFSR, item 3 was again rated as a Strength and item 4 continued to be rated as an ANI. The 2008 CFSR found that there was a lack of adequate initial and ongoing safety and risk assessments, which resulted in children being unsafe or at risk of harm in their homes. Additionally, risk was not assessed prior to reunification.

Stakeholders interviewed during the onsite CFSR reported that North Dakota is providing services to prevent removal. It is the opinion of stakeholders that this has occurred because of the following:

- The family team meeting process is successful in identifying needs and services and ensuring the implementation of services.
- Caseworkers have become more cognizant of the services children and families need.
- Counties are providing preventive services, which have decreased court intervention.

Permanency Outcome 1: Children have permanency and stability in their living situations

There are six indicators incorporated in the assessment of Permanency Outcome 1, although not all of them are relevant for all children. The indicators pertain to the agency's efforts to prevent foster care reentries (item 5), ensure placement stability for children in foster care (item 6), and establish appropriate permanency goals for children in foster care in a timely manner (item 7). Depending on the child's permanency goal, the remaining indicators focus on the agency's efforts to achieve permanency goals (such as reunification, guardianship, adoption, and permanent placement with relatives) in a timely manner (items 8 and 9) or to ensure that children who have OPPLA as a case goal are in stable placements and adequately prepared for eventual independent living (item 10).

In 2008, North Dakota did not achieve substantial conformity with Permanency Outcome 1. This determination was based on the following findings:

- The outcome was substantially achieved in 70.0 percent of the cases, which is less than the 95 percent required for an overall rating of substantial conformity.
- The State Data Profile indicates that, for the CFSR 12-month target period, the State did not meet the national standards for Permanency Composite 1 (Timeliness and permanency of reunification) and Permanency Composite 4 (Placement stability).

Permanency Outcome 1 was substantially achieved in 80 percent of Burleigh/Morton County cases, 75 percent of Cass County cases, and 50 percent of Ward County cases.

North Dakota was not in substantial conformity with this outcome in the 2001 CFSR. Item 5, pertaining to foster care reentries, was rated as an ANI. All other items incorporated in the outcome were rated as a Strength.

To address concerns, North Dakota implemented the Wraparound Practice Model and the QA process. Additionally, CFS increased its efforts to work with the Native American Tribes and the Division of Juvenile Services (DJS) to identify issues and develop solutions pertaining to foster care reentries. CFS analyzed case data from the computerized system to identify issues that contribute to higher reentry levels and reviewed the composition of the Permanency Planning Committees to ensure the required and recommended parties were in attendance.

North Dakota met its target goals for this outcome by the end of the PIP period.

In the 2008 CFSR, item 7 (permanency goals) and item 8 (reunification, guardianship, or relative placement) were rated as Strengths. All other items included in this outcome were rated as ANIs. Related and additional findings of the 2008 CFSR are as follows:

- The onsite CFSR and the Data Profile for the Composite 1 individual measure on foster care reentries indicate that North Dakota has challenges in preventing foster care reentries within a 12-month period (item 5).

- The Onsite Review indicates that there are issues in maintaining stable placements for foster children, particularly as relates to (1) meeting their behavioral needs, and (2) ensuring that their placements are safe and well-supported. In addition, the State did not meet the national standard for Data Composite 4: Placement stability for the 12-month CFSR period ending March 31, 2006 (item 6).
- The 2008 CFSR indicates that North Dakota consistently establishes timely and appropriate permanency goals for children in foster care, and the Onsite Review results indicate that North Dakota is consistently meeting ASFA requirements and filing for TPR in a timely manner. Additionally, the State met the national standard for Data Composite 3: Permanency for children and youth in foster care for long periods of time (item 7).
- Information from the Onsite Review indicates that North Dakota is effective and timely in achieving reunifications and guardianships for children. However, the State did not meet the national standard for Data Composite 1: Timeliness and permanency of reunification (item 8).
- Information from the Onsite Review indicates that the State is not consistently achieving adoptions in a timely manner. However, the State met the national standard for Data Composite 2: Timeliness of adoptions (item 9).
- The State is not consistently assisting youth in achieving the goal of OPPLA (item 10).

Key concerns expressed in the 2008 CFSR by stakeholders with regard to Permanency Outcome 1 were the following:

- Reentries into foster care occur when support and services to meet the individual needs of the family after reunification have not been provided.
- There are limited resources available to support State foster parents.
- Timely achievement of permanency for Native American children is a challenge. Tribal involvement is frequently minimal, and permanency hearings for Native American children are often continued due to lack of an expert witness that is required for Indian Child Welfare Act (ICWA) cases.
- The TPR appeals process sometimes delays permanency.
- There is reluctance by some judicial circuits to terminate parental rights when an adoptive placement has not been identified.
- Delays in reunification generally occur when parents have not completed the required services, which is often due to wait lists for the services.
- All foster children 16 and older are assessed for Independent Living services; however, the services focus on children who are likely to age out of care.
- Independent Living services for youth who have aged out of foster care are inconsistent.

Additionally, stakeholders reported:

- Trial home visits prior to reunification and supportive services after reunification have resulted in a recent decrease in reentries into foster care.
- Reentries into foster care have significantly decreased due to improved post-reunification services and support.
- CFS attempts to match children and foster parents based on the strengths and skills of the foster parent and makes significant efforts to keep children in stable placements.

- When children are disruptive in a foster home, caseworkers and/or therapists work with the foster parent and child to try to stabilize the situation.
- CFS is generally aggressively moving cases to adoption.
- There have been an increased number of guardianship cases due to foster parents assuming guardianship rather than adopting foster children.
- Other placement options are thoroughly explored prior to choosing OPPLA. OPPLA is chosen based on the age, development, and needs of the child; relationship with the parent; and willingness of the foster parent.

Permanency Outcome 2: The continuity of family relationships and connections is preserved for children

Permanency Outcome 2 incorporates six indicators that assess the agency's performance with regard to (1) placing children in foster care in close proximity to their parents and close relatives (item 11); (2) placing siblings together (item 12); (3) ensuring frequent visitation among children and their parents and siblings in foster care (item 13); (4) preserving connections of children in foster care with extended family, community, cultural heritage, religion, and schools (item 14); (5) seeking relatives as potential placement resources (item 15); and (6) promoting the relationship between children and their parents while the children are in foster care (item 16).

North Dakota did not achieve substantial conformity with Permanency Outcome 2. The outcome was rated as substantially achieved in 82.5 percent of the cases, which is less than the 95 percent or higher required for substantial conformity. The outcome was determined to be substantially achieved in 90 percent of Ward County cases and 80 percent of Burleigh/Morton County and Cass County cases.

North Dakota achieved substantial conformity with Permanency Outcome 2 in the 2001 CFSR. In the 2001 CFSR, all items incorporated in this outcome were rated as a Strength. Therefore, North Dakota was not required to address this outcome in the PIP.

Key findings from the 2008 CFSR were the following:

- Children in the cases reviewed were in foster care placements that were in close proximity to parents or potential permanent caregivers unless specialized placements were necessary (item 11).
- CFS is inconsistent in its efforts to place siblings together. Stakeholders indicated that resources are limited for teenage siblings and larger sibling groups (item 12).
- Visitation with mothers, fathers, and siblings was not of sufficient quality or quantity to meet the needs of the families. Visits were far more likely to occur with siblings than mothers and particularly fathers (item 13).
- CFS consistently supported children's connections with extended family, siblings, school, and the community (item 14).
- There were inconsistent efforts made to search for maternal and paternal relatives as placement resources for children (item 15).
- The support of the parents' relationships with their children while the children were in foster care was inconsistent. Less attention was given to promoting children's bonds with fathers than with mothers (item 16).

Additional and related findings from the 2008 CFSR were the following:

- Reviewers and stakeholders reported that CFS provided transportation for children and parents to visitations.
- Child and parent visitation increased in length and occurred in less restrictive environments as families progressed to reunification.
- The frequency of visitation is reviewed quarterly by the FCCFT.
- Caseworkers make efforts for children to visit with their incarcerated parents, when appropriate.
- Reviewers indicated CFS did an excellent job of ensuring ICWA guidelines were maintained.

Well-Being Outcome 1: Families have enhanced capacity to provide for their children's needs

Well-Being Outcome 1 incorporates four indicators. One pertains to the agency's efforts to ensure that the service needs of children, parents, and foster parents are assessed and that the necessary services are provided to meet identified needs (item 17). A second indicator examines the agency's efforts to actively involve parents and children (when appropriate) in the case planning process (item 18). The two remaining indicators examine the frequency and quality of caseworkers' contacts with the children in their caseloads (item 19) and with the children's parents (item 20).

North Dakota did not achieve substantial conformity with Well-Being Outcome 1. The outcome was rated as substantially achieved in 53.8 percent of the cases reviewed, which is less than the 95 percent required for a determination of substantial conformity.

Well-Being Outcome 1 was determined to be substantially achieved in 59 percent of Ward County cases, 55 percent of Cass County cases, and 47 percent of Burleigh/Morton County cases. The outcome was found to be substantially achieved in 62.5 percent (25 cases) of the 40 foster care cases and 40 percent (10 cases) of the 25 in-home services cases.

North Dakota did not achieve substantial conformity with Well-Being Outcome 1 in the 2001 CFSR. Item 17 pertaining to needs and services of child, parents, and foster parents and item 19 pertaining to caseworker visits with the child were rated as ANIs. Key concerns identified in 2001 were the following:

- Comprehensive needs assessments were not completed for children.
- Visits between caseworkers and children did not meet State policy and/or were not sufficient to ensure safety and well-being.
- Stakeholders reported that there was confusion about case management responsibilities pertaining to children in foster care when contract agencies were involved.

To address these concerns, North Dakota implemented the Wraparound Practice Model and the QA process. Additionally, CFS strengthened policy related to the following:

- Assessing the needs of children, parents, and foster parents
- Caseworker visits with foster children
- Case management responsibilities when multiple agencies are involved

The State met the target goals for this outcome by the end of the PIP implementation period.

All items incorporated into Well-Being Outcome 1 were rated as ANIs in the 2008 CFSR. The following concerns were identified:

- CFS was more consistent in assessing and addressing the needs of foster parents and children than it was in assessing and meeting the service needs of mothers and fathers. Additionally, CFS was more effective in assessing and addressing needs in foster care cases than it was in in-home services cases (item 17).
- Mothers and children were more likely to be involved in case planning than fathers (item 18).
- CFS was not consistently effective in ensuring both the frequency and quality of caseworker visits with children in in-home cases (item 19).
- CFS was not consistently effective in ensuring both the frequency and quality of caseworker visits with parents, particularly visits with fathers. Visits were more consistent in foster care cases than in-home cases (item 20).

Additional findings from the 2008 CFSR were the following:

- Stakeholders reported that the needs of parents, children, and foster parents are assessed by the caseworkers on a regular basis. Ongoing and changing needs are reviewed through ongoing, frequent communication and Child and Family Team (CFT) meetings and FCCFT meetings.
- Stakeholders indicated that caseworkers are consistent in inviting parents and community partners to CFT and FCCFT meetings.
- In 100 percent of the foster care cases reviewed, CFS was consistent in the frequency and quality of the caseworker visits with the children.

Well-Being Outcome 2: Children receive appropriate services to meet their educational needs

There is only one indicator for Well-Being Outcome 2. It pertains to the agency's efforts to address and meet the educational needs of children in both foster care and in-home services cases (item 21).

North Dakota achieved substantial conformity with Well-Being Outcome 2. The outcome was substantially achieved in 95.3 percent of the cases reviewed. This meets the 95 percent required for substantial conformity.

Well-Being Outcome 2 was determined to be substantially achieved in 100 percent of Ward County Cases, 95 percent of Cass County cases, and 92 percent of Burleigh/Morton County cases. The outcome was substantially achieved in 100 percent of the 35 applicable foster care cases and in 75 percent of the 8 applicable in-home services cases.

North Dakota achieved substantial conformity with Well-Being Outcome 2 in the 2001 CFSR and, therefore was not required to address this outcome in the PIP.

The key findings of the 2008 CFSR indicate CFS adequately assessed the education needs of children, and services were provided, if necessary. Additionally, reviewers reported that in-home caseworkers frequently assessed educational needs in cases even when the reason for involvement was not associated with educational issues.

Stakeholders commenting on this item during the Onsite Review indicated that the majority of caseworkers are responsive to children's educational needs. Caseworkers, parents, and/or foster parents participate in Individual Education Program (IEP) meetings on a consistent basis.

Well-Being Outcome 3: Children receive adequate services to meet their physical and mental health needs

This outcome incorporates two indicators that assess the agency's efforts to meet children's physical health needs (item 22) and mental health needs (item 23).

North Dakota did not achieve substantial conformity with Well-Being Outcome 3. The outcome was determined to be substantially achieved in 86.4 percent of the applicable cases, which is less than the 95 percent required for substantial conformity. Well-Being Outcome 3 was determined to be substantially achieved in 93 percent of Cass and Ward County cases and in 69 percent of Burleigh/Morton County cases. The outcome was determined to be substantially achieved in 93 percent of the 40 foster care cases and in 74 percent of the 19 applicable in-home services cases.

The State was not in substantial conformity with this outcome for the 2001 CFSR. Item 22, pertaining to physical health of children, was rated as a Strength, and item 23, pertaining to mental health of children, was rated as an ANI. To address these concerns, North Dakota implemented the Wraparound Practice Model and the QA process. Additionally, CFS strengthened policy related to assessing children's mental health needs and ensuring appropriate services are provided. The State also implemented a mental/behavioral health screening tool for children who do not receive Health Tracks screening.

The State met the target goals for this outcome by the end of the PIP implementation period.

Similar to the 2001 CFSR, the physical and dental health of children (item 22) was rated as a Strength, and the mental health of children (item 23) was rated as an ANI in the 2008 CFSR. The Onsite Review indicated consistency in practice with regard to providing health assessments of children and obtaining health records.

There were, however, inconsistencies in practice with regard to assessing and addressing the mental health needs of children. The Onsite Review findings indicate that CFS is more consistent in meeting the mental health needs of children in foster care cases than children in in-home cases.

II. KEY FINDINGS RELATED TO SYSTEMIC FACTORS

Statewide Information System

Substantial conformity with the systemic factor of a Statewide Information System is determined by whether the State is operating a statewide information system that can identify the status, demographic characteristics, location, and goals for children in foster care.

North Dakota achieved substantial conformity with the systemic factor of a Statewide Information System. North Dakota was in substantial conformity with this outcome in the 2001 CFSR.

CFS currently utilizes individual applications to document and track maltreatment reports, in-home services, family preservation, foster care, and adoption activities. These current CFS information systems are made up of multiple, disparate applications and databases. Information for family preservation services, child abuse and neglect (CA/N), and foster care and adoption activities are currently linked in varying degrees by the SPOC system, CA/N Index, and CCWIPS.

The CCWIPS provides case management information and tracks children in foster care placement. The assigned caseworker, regional supervisors, eligibility workers, and caseworkers from DJS can access information in the system. The system collects the following information on each child in foster care:

- Demographics
- Location and type of placement
- Changes in placements
- Case goals
- Time in foster care

Case Review System

Five indicators are used to assess the State's performance with regard to the systemic factor of a Case Review System. The indicators examine the development of case plans and parent involvement in that process (item 25), the consistency of 6-month case reviews (item 26) and 12-month permanency hearings (item 27), the implementation of procedures to seek TPR in accordance with the time frames established by ASFA (item 28), and the notification and inclusion of foster and pre-adoptive parents and relative caregivers in case reviews and hearings (item 29).

North Dakota is not in substantial conformity with the systemic factor of a Case Review System for 2008. North Dakota was in substantial conformity with this factor during the 2001 CFSR and was not required to address this factor in its PIP.

Although the Wraparound Practice Model requires family engagement in identification of needs and treatment planning, and State policy requires that case plans be developed jointly with the parents and youth, the Onsite Review data indicate that parents,

particularly fathers and youth, are not always involved in the development of the case plan. Additionally, case review information indicates that parents and/or children were involved in case planning in 65 percent of the 63 applicable cases (item 25).

Based on information from the Onsite Review, North Dakota ensures that periodic reviews of the status of each child in foster care are held at least every 6 months and generally every 3 months through the FCCFT process. Additionally, some jurisdictions also require a judicial review every 6 months. Stakeholders indicated that the case reviews are substantive and help move the case forward in terms of achieving case goals and objectives (item 26). In addition, permanency hearings are held in the State 12 months from the point of the child's removal from the home and at least every 12 months thereafter (item 27).

However, data from the onsite CFSR indicate TPR had not been filed in a timely manner in 10 of the 21 applicable cases and that compelling reasons for not filing were noted in 9 of the 10 cases. Although the State has a process for TPR, there is reluctance by some judicial jurisdictions to terminate parental rights when an adoptive placement has not been identified. Stakeholders commenting on this item during the Onsite Review indicated that delays in filing for TPR occur and that the TPR appeal process also can delay permanency (item 28).

North Dakota has a process and policy in place for caseworkers to provide notifications of hearings and opportunities for foster parents and relative caregivers to be heard and, according to stakeholders, notification is generally consistent and timely. There is, however, inconsistency across judicial jurisdictions for foster parents and relative caregivers to be heard during court hearings. Some jurisdictions allow foster parents to attend and participate in the court proceedings, but others allow foster parents in the court primarily as observers (item 29).

Quality Assurance System

Performance with regard to the systemic factor of a QA System is based on whether the State has developed standards to ensure the safety and health of children in foster care (item 30) and whether the State is operating a statewide QA system that evaluates the quality and effectiveness of services and measures program strengths and ANIs (item 31).

North Dakota is in substantial conformity with the systemic factor of a QA System. The State was in substantial conformity with this factor in the 2001 CFSR; therefore, it was not required to address this factor in the PIP.

Findings from the 2008 CFSR indicated that the State developed and implemented standards to ensure the safety of children in foster care by requiring licensure for family foster homes and foster care facilities, requiring face-to-face visits with children in foster care at least every 30 days, and reviewing a family's risk factors every 90 days during the FCCFT meeting. Additionally, stakeholders indicated that the SPOC is a check and balance to ensure the needs of children are met and that the FCCFT is used to monitor the quality of services for foster children. The progress of the service plan is reviewed at the quarterly meetings, as are the child's

medical, mental health, educational, and Independent Living status, if applicable. Stakeholders also reported that a comprehensive health assessment is completed within 30 days of the child entering care, and periodic checks are required thereafter (item 30).

North Dakota implemented the ND CFSR QA process statewide in 2003, replicating the Federal model. The ND CFSR QA process is conducted annually in each of the eight Human Services Center (HSC) regions of the State. Stakeholders indicated that the ND CFSR QA process includes stakeholder interviews and an exit conference. Findings from the ND CFSR QA process are used to implement changes in practice. Each county is responsible for preparing a PIP and submitting it to the State office. However, stakeholders reported that they do not receive feedback on the content or progress of the PIP. Stakeholders also reported that the regional offices perform QA with the oversight and monitoring of case plans and the review of case records (item 31).

Training

The systemic factor of Training incorporates an assessment of the State's new caseworker training program (item 32), ongoing training for agency staff (item 33), and training for foster and adoptive parents (item 34).

North Dakota is in substantial conformity with the systemic factor of Training. The State was in substantial conformity with this systemic factor in the 2001 CFSR.

North Dakota has CFS contracts with the University of North Dakota Department of Social Work to operate the Child and Family Services Training Center (CFSTC). The training center is responsible for the majority of the child welfare training in the State. CFSTC provides a Child Welfare Practitioner Certification Program (CWPCP), which is a competency-based training curriculum. The training model incorporates classroom teaching, field assignments (e.g., completing a CAN assessment), and online training. Training must begin within the first 6 months of employment and be completed within the first year of employment. Some stakeholders reported that the new caseworker training is adequate to prepare caseworkers to carry out the responsibilities of their jobs. Other stakeholders, however, noted that the training is unrealistic and that caseworkers learn more through peer interaction and field observations. According to stakeholders, new supervisor training for child welfare supervisors is not offered in the State (item 32).

The CFSTC, according to stakeholders, annually evaluates the training needs of CFS staff and develops an annual training plan. Stakeholders reported that ongoing training is available to CFS staff at the local, regional, and State levels. Most stakeholders reported that supervisors are generally supportive of ongoing training, and staff have the opportunity to attend. There is no required number of training hours that must be completed each year. However, CFS caseworkers are licensed social workers and are required to obtain 30 hours of ongoing training biennially. Additionally, caseworkers providing wraparound services are required to be recertified in wraparound biennially (item 33).

North Dakota was found to have a well-established, effective training program for foster and adoptive parents. The State uses a formal curriculum, Parents' Resource for Information, Development, and Education (PRIDE), that was perceived by stakeholders as

generally effective. In addition, the CFSTC conducts an annual survey to solicit input on ongoing training needs. Ongoing training was noted to be readily available for foster parents, with much of the ongoing training offered as part of local and statewide foster parent meetings (item 34).

Service Array

The assessment of the systemic factor of Service Array addresses three questions: (1) Does the State have in place an array of services to meet the needs of children and families served by the agency (item 35)? (2) Are these services accessible to families and children throughout the State (item 36)? (3) Can services be individualized to meet the unique needs of the children and families served by the agency (item 37)?

North Dakota is not in substantial conformity with the systemic factor of Service Array for the 2008 CFSR. The State was in substantial conformity with this factor in the 2001 CFSR.

The general finding of the 2008 CFSR was that there are many services available in the State, including the intensive in-home services, Family Group Decision Making (FGDM), and the Wraparound Practice Model to address the needs of children and families served by the system (item 35). However, many rural areas are without adequate medical, dental, and mental health and placement resources necessary to meet the needs of the families served. According to stakeholders, waiting lists are longer and the quantity of services is smaller in rural areas. Geography is a barrier to families accessing services. The cost of transportation, loss of wages and time spent traveling to services can impact the family's willingness to participate in services required to complete their case plan (item 36).

The lack of services in some areas makes individualizing services difficult. Additionally, during the onsite CFSR, item 17, pertaining to the assessment of needs and the provision of services, was rated as a Strength in 60 percent of the cases reviewed. Stakeholders reported that when specific services are not available in a particular community, caseworkers are creative in arranging necessary services for the child or family (item 37).

Agency Responsiveness to the Community

Performance with regard to the systemic factor of Agency Responsiveness to the Community incorporates an assessment of the State's consultation with external stakeholders in developing the CFSP (items 38 and 39) and the extent to which the State coordinates services with services or benefits of other Federal or Federally assisted programs serving the same population (item 40).

North Dakota is in substantial conformity with the factor of Agency Responsiveness to the Community. The State also was in substantial conformity with this factor in the 2001 CFSR.

The general finding in the 2008 CFSR was that the State includes the input of stakeholders in the development of APSRs. Although there is no formal CFSP advisory committee, preparations for the FY 2005 through 2009 CFSP included the facilitation of focus groups across the State. The focus groups included the following:

- County social service agency directors
- County social service supervisors
- Regional supervisors
- DJS
- Public and private service providers
- Parents
- Foster parents
- Tribal representatives

The discussions focused on safety, permanency, and well-being. Through the stakeholder focus groups, the CFSP goals and methods for achieving them were established (item 38).

Additionally, the CFSR findings indicate that North Dakota consistently engages in ongoing consultations with stakeholders. Their comments in group meetings or individual contacts are synthesized and included in the development of the CFSP and the APSR. CFS makes significant efforts to ensure that Tribal representatives, foster youth, and court personnel are involved in discussions and decision-making for the CFSP and APSR. Stakeholders interviewed during the onsite CFSR expressed the opinion that the State regularly collaborates with other agencies (item 39).

The CFSR found that there is coordination among CFS and other Federally assisted programs to meet the service needs of the children and families served by the agency (item 40).

Foster and Adoptive Parent Licensing, Recruitment, and Retention

The assessment of this systemic factor focuses on the State's standards for foster homes and child care institutions (items 41 and 42), the State's compliance with Federal requirements for criminal background checks for foster and adoptive parents (item 43), the State's efforts to recruit foster and adoptive parents that reflect the ethnic and racial diversity of foster children (item 44), and the State's activities with regard to using cross-jurisdictional resources to facilitate permanent placements for waiting children (item 45).

North Dakota is in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. North Dakota also was in substantial conformity with this factor during the 2001 CFSR.

The 2008 CFSR found that the State has clear standards for foster family homes and child care institutions that are implemented in a uniform manner and are reasonably in accord with recommended national standards (items 41 and 42). In particular, the same

standards are applied to both non-relative and relative foster homes. In addition, there was clear evidence that the State complies with Federal requirements for criminal background checks (item 43).

Additionally, the State has a process for ensuring diligent recruitment of potential foster and adoptive families that reflect the racial diversity in the State. Although the State has been diligent in recruiting Native American foster homes, the effort has not rendered the needed homes. According to stakeholders, 50 percent of the children in foster care in Burleigh/Morton County are Native American; however, there is only one Native American foster home. Some stakeholders noted the innate distrust of the government by Native Americans as a problem with recruitment efforts. Cass County stakeholders reported that Cass County is more successful in locating Native American relatives willing to be kinship care homes than those willing to be licensed foster homes (item 44).

The CFSR found that CFS is diligent in using cross-jurisdictional resources to locate adoptive or permanent placements for waiting children (item 45).

Table 1. North Dakota CFSR Ratings for Safety and Permanency Outcomes and Items

Outcomes and Indicators	Outcome Ratings			Item Ratings	
	In Substantial Conformity?	Percent Substantially Achieved*	Met National Standards?	Rating**	Percent Strength
Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect	No	89.3	Met 1 Did not meet 1	Strength	93
Item 1: Timeliness of investigations				Strength	95
Item 2: Repeat maltreatment					
Safety Outcome 2: Children are safely maintained in their homes when possible and appropriate	No	70.8		Strength	91
Item 3: Services to prevent removal				ANI	74
Item 4: Risk of harm					
Permanency Outcome 1: Children have permanency and stability in their living situations	No	70.0	Met 2 Did not meet 2	ANI	79
Item 5: Foster care reentry				ANI	85
Item 6: Stability of foster care placements				Strength	92.5
Item 7: Permanency goal for child				Strength	95
Item 8: Reunification, guardianship, or placement with relatives				ANI	62.5
Item 9: Adoption				ANI	67
Item 10: Other planned permanent living arrangement					
Permanency Outcome 2: The continuity of family relationships and connections is preserved	No	82.5		Strength	100
Item 11: Proximity of placement				ANI	81
Item 12: Placement with siblings				ANI	84
Item 13: Visiting with parents and siblings in foster care				Strength	95
Item 14: Preserving connections				ANI	74
Item 15: Relative placement				ANI	82
Item 16: Relationship of child in care with parents					

*95 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for North Dakota to be in substantial conformity with the outcome.

**Items may be rated as a Strength or an ANI. For an overall rating of Strength, 90 percent of the cases must be rated as a Strength.

Table 2. North Dakota CFSR Ratings for Child and Family Well-Being Outcomes and Items

Outcomes and Indicators		Outcome Ratings		Item Ratings	
	In Substantial Conformity?	Percent Substantially Achieved	Rating**	Percent Strength	
Well-Being Outcome 1: Families have enhanced capacity to provide for children's needs		No	53.8		
Item 17: Needs/services of child, parents, and foster parents				ANI	60
Item 18: Child/family involvement in case planning				ANI	65
Item 19: Caseworker visits with child				ANI	85
Item 20: Caseworker visits with parents				ANI	59
Well-Being Outcome 2: Children receive services to meet their educational needs		Yes	95.3		
Item 21: Educational needs of child				Strength	95
Well-Being Outcome 3: Children receive services to meet their physical and mental health needs		No	86.4		
Item 22: Physical health of child				Strength	98
Item 23: Mental health of child				ANI	84

*95 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for North Dakota to be in substantial conformity with the outcome.

**Items may be rated as a Strength or an ANI. For an overall rating of strength, 90 percent of the cases reviewed for the item (with the exception of item 21) must be rated as a Strength. Because item 21 is the only item for Well-Being Outcome 2, the requirement of a 95-percent Strength rating applies.

Table 3. North Dakota CFSR Ratings for Systemic Factors and Items

Systemic Factors and Items	In Substantial Conformity?	Score*	Item Rating**
Statewide Information System	Yes	3	
Item 24: The State is operating a statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care			Strength
Case Review System	No	2	
Item 25: Provides a process that ensures that each child has a written case plan to be developed jointly with the child's parents that includes the required provisions			ANI
Item 26: Provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review			Strength
Item 27: Provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter			Strength
Item 28: Provides a process for TPR proceedings in accordance with the provisions of ASFA			ANI
Item 29: Provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child			ANI
Quality Assurance System	Yes	4	
Item 30: The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of children			Strength
Item 31: The State is operating an identifiable QA system that is in place in the jurisdictions where the services included in the CFSR are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented			Strength
Training	Yes	4	
Item 32: The State is operating a staff development and training program that supports the goals and objectives in the CFSR, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services			Strength
Item 33: The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSR			Strength

Systemic Factors and Items

	In Substantial Conformity?	Score*	Item Rating**
Item 34: The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children			Strength
Service Array	No	2	
Item 35: The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency			Strength
Item 36: The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP			ANI
Item 37: The services in item 35 can be individualized to meet the unique needs of children and families served by the agency			ANI
Agency Responsiveness to the Community	Yes	4	
Item 38: In implementing the provisions of the CFSP, the State engages in ongoing consultation with Tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP			Strength
Item 39: The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP			Strength
Item 40: The State's services under the CFSP are coordinated with services or benefits of other Federal or Federally assisted programs serving the same population			Strength
Foster and Adoptive Parent Licensing, Recruitment, and Retention	Yes	4	
Item 41: The State has implemented standards for foster family homes and child care institutions that are reasonably in accord with recommended national standards			Strength
Item 42: The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds			Strength
Item 43: The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children			Strength
Item 44: The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom adoptive homes are needed			Strength
Item 45: The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children			Strength

*Scores range from 1 to 4. A score of 1 or 2 means that the factor is not in substantial conformity. A score of 3 or 4 means that the factor is in substantial conformity.

**Items may be rated as a Strength or as an ANI.