

Settlement Agreement First Semi-Annual Report
January 2008 – June 2008



Department of Children and Families
Bureau of Milwaukee Child Welfare (BMCW)
Prepared by the BMCW Program Evaluation Managers

Introduction

Background to Jeanine B. Settlement Agreement

This report provides information on the progress of the Bureau of Milwaukee Child Welfare in meeting the requirements of the Jeanine B. Settlement Agreement. It includes the performance outcomes from January 1, 2008 through June 30, 2008.

In 1993, the American Civil Liberties Union (ACLU) Children's Rights Project (now Children's Rights, Inc.) filed an action in the Federal District Court for the Eastern District of Wisconsin on behalf of an estimated class of approximately 5,000 children who were receiving child welfare services in Milwaukee County. The Milwaukee County Executive, the Director of Milwaukee County Human Services Division, the Governor, and the Secretary of the Department of Health and Social Services (now the Department of Children and Families) were named as defendants.

The complaint was a broad-based challenge to the administration of the Milwaukee County child welfare system, stating that it failed in its obligation to provide adequate child welfare services to children and families. The complaint alleged that the state failed to adequately supervise and fund the Milwaukee County system.

In response to the lawsuit, the State of Wisconsin assumed direct responsibility and funding of Milwaukee County Child Welfare effective January 1, 1998 to improve the safety and well-being of children. In 2002, the parties reached a settlement of the litigation. The Settlement Agreement requires BMCW to attain specific outcomes regarding the permanency, safety, and well-being of children in out-of-home care in Milwaukee County.

This report summarizes the progress made by the Bureau of Milwaukee Child Welfare on the items of the settlement agreement.

Format of Progress Report

This is the first semi-annual report for 2008 and includes outcomes of the BMCW's performance from January 1, 2008 through June 30, 2008.

This report is divided into three sections, with the *first section* reporting on the **remaining enforceable provisions**.

The *second section* includes the **provisions that are no longer subject to enforcement** because the defendants were in compliance with the provisions for two consecutive six-month periods, as agreed upon by the Department of Health and Family Services (now the Department of Children and Families) and plaintiffs' counsel Children's Rights.

Provisions that are no longer operable are being excluded from this report. For example, Section I.B.5 of the Agreement is inoperative because the Subsidized Guardianship waiver was not obtained before January 1, 2003, so the controlling requirement is I.B.4.

Plaintiffs and defendants agreed that the Article I provisions, as listed below, are no longer subject to enforcement because the defendants were in compliance with the provisions.

The provisions no longer subject to enforcement are:

§I.B.1 Negotiation with Milwaukee District Attorney to ensure adequate legal representation for the prosecution of termination of parental rights (TPR) petitions, consistent with ASFA requirements (Memorandum of Understanding (MOU) executed by BMCW and District Attorney's office on July 28, 2003) (Released – June 6, 2006)

§I.B.3 Belated compliance with Adoption and Safe Families Act requirements (Released – June 6, 2006)

§I.B.4 Length-of-stay in care (Released - August 29, 2006)

§I.B.7 Adoption within 24 months of removal (Released - April 2008)

§I.C.2 Timeliness of processing referrals to independent investigator (Released - June 6, 2006)

§I.C.3 Timeliness of making case assignments and completing investigations (Released - June 6, 2006)

§I.C.4 Timeliness in making determination of independent investigations (Released - June 6, 2006)

§I.D.1- 2 Ongoing case managers' caseload size (Released - August 29, 2006)

§I.D.3 Contract hold-back for not meeting requirements of monthly face-to-face contacts (Released - June 6, 2006)

§I.D.4 Monthly face-to-face contacts (Released - June 6, 2006)

§I.D.8 The Division of Children and Family Services shall make its best efforts to seek legislative approval of foster parent reimbursement rates consistent with USDA standards (Met through AB 100 (2005-07 budget) signed by Governor Doyle on July 25, 2005 included a 5% rate increase in CY06, beginning January 1, 2006 (Released - June 6, 2006)

The *third section* includes **performance results of the efforts of the Bureau of Milwaukee Child Welfare**. The data in this report includes process indicators and outcomes inclusive of safety, well-being, and permanence objectives. This information was formerly identified as the “monitoring items.”

As of December 31, 2005, the BMCW reached the conclusion of the third year of the Settlement Agreement between Children's Rights, Inc., on behalf of the plaintiffs and other State defendants. Consistent with Section III.C of the Agreement, the requirement to conduct reviews and produce reports under this section terminated on December 31, 2005. The BMCW is continuing to report to and inform the community on the progress toward achieving identified process indicators and outcomes.

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Data source

Most of the data presented in this report was generated from the electronic Wisconsin Statewide Automated Child Welfare Information System (eWiSACWIS). Data elements generated using eWiSACWIS were identified and developed for consistent and systematic assessment of the Agreement outcomes. The BMCW continues to work to manage artifact data and validate data accuracy. The quality of the data is dependent upon complete and accurate data entry by staff, legacy data system conversions, and data system updates. Improvements to the data system are continually identified and completed to enhance the accuracy and consistency of reporting.

To create a more streamlined document for the reader, in some instances the rounding of performance percentages (past and present) occurs. If the reader identifies slight differences in reporting due to rounding, please refer to the original (previous) document or numbers for the exact calculations.

BMCW Demographic and Descriptive Data

Table 1.1: Number of families with children in out-of-home care at end of period, January 2003 to June 2008

	Dec 31, 2003	Dec 31, 2004	Dec 31, 2005	Dec 31, 2006	Dec 31, 2007	Jun 30, 2008
Number of families receiving ongoing case management program services	2,081	1,948	1,899	1,777	1,863	1,906
Number of children in out-of-home care placements	3,489	3,151	2,825	2,621	2,907	2,688

Note: The figures in the above table represent point-in-time data on December 31 or June 30 of each year.

Table 1.2: Number of children who achieved permanency or exited care, January through June 2008

Permanency achieved through:	Number of children
Reunification	378
Adoption	110
Transfer of guardianship	49
Subsidized Guardianship	3
Age of majority reached	92
TOTAL	632

Subsidized guardianship – 136 children currently enrolled in the program

Table 1.3: Age of children at time of removal, CY 2003 through June 2008

Age at removal (years)	CY 2003	CY 2004	CY 2005	CY 2006	CY 2007	CY 2008 YTD
Birth to 4	44%	40%	41%	53%	47%	45% (276)
5 to 11	32%	32%	29%	26%	30%	33% (198)
12 to 15	17%	20%	20%	10%	15%	15% (93)
16+	7%	8%	10%	11%	8%	7% (43)
Total number of children removed	1,123	1,308	1,179	1,180	1,236	610

Table 1.4 below provides the number of families whose children entered out-of-home care since CY 2003 and further identifies the number of these families with three or more children.

Table 1.4: Families whose children entered out-of-home care

Number of children in family	Number of families CY 2003	Number of families CY 2004	Number of families CY 2005	Number of families CY 2006	Number of families CY 2007	Number of families YTD CY 2008
< 3 children per family	411	435	422	420	436	224
3	55	76	80	63	65	27
4	21	32	37	36	37	19
5	8	16	19	15	9	9
6	9	15	4	3	5	4
7	2	4	1	4	2	2
8	0	1	2	5	1	0
9	2	5	1	1	0	0
10	N/A	N/A	N/A	N/A	N/A	N/A
11	0	0	0	1	0	0
Total families whose children entered out-of-home care	508	584	566	548	555	285
Families with three or more children whose children entered out-of-home care	97	149	144	128	119	61

Section 1: Remaining enforceable provisions

This section includes outcomes of the BMCW from January through June 2008 for the remaining enforceable provisions.

§I.B.2 At least the following percentages of children in BMCW custody reaching 15 of the last 22 months in out-of-home care during the period shall have had a TPR petition filed on their behalf, or an available Adoption and Safe Families Act (ASFA) exception documented in their case, by the end of the fifteenth month in care. . . .

During the first six months of CY 2008, the BMCW demonstrated a performance level of 90% compared to the standard that at least 90% of children in out-of-home care for 15 of 22 months must have a termination of parental rights (TPR) petition filed on their behalf, or an ASFA exception documented in their case by the end of the 15th month in care. The BMCW (and partner agencies) were successful in meeting this performance standard for the first six-month period in CY 2008.

§I.B.6 At least the following percentages of children who are reunified with parents or caretakers at the time of discharge from BMCW out-of-home care within the period shall be reunified within 12 months of entry into out-of-home care. . . .

During the first six months of CY 2008, 66% of all children reunified were reunified within 12 months of entry into out-of-home care compared to the performance standard of 71%. The BMCW (and partner agencies) were not successful in meeting this performance standard for the first six-month period in CY 2008.

§I.C.1 No more than the following percentages of children in BMCW custody shall be the victims of substantiated abuse of neglect allegations within the period by a foster parent or staff of a facility to be licensed. . . .

The BMCW achieved a YTD performance of 0.20% maltreatment in out-of-home care; the requirement (annual) is that no more than 0.60% of children in BMCW custody shall be the victims of substantiated abuse or neglect allegations by a foster parent or staff of a facility required to be licensed.

This is an annual calculation, which is measured over a 12-month period. The final results will be reported at the year-end for January to December 2008. The performance standard provided here is for the first six months and demonstrates year-to-date performance only.

§I.D.5 The use of shelter placements shall be phased out entirely.

The BMCW phased out all shelter placements by December 31, 2003. The BMCW previously met this provision but has not yet been released.

§I.D.6 By December 31, 2003, and thereafter, no child shall be placed in a shelter.

The BMCW no longer uses shelters as a placement for children. The BMCW previously met this provision but has not yet been released.

§I.D.7 By December 31, 2003, BMCW shall develop special diagnostic/assessment centers for children over 12 years of age who need further assessment in order to determine the appropriate placement. Placement in such centers shall not exceed 30 days, or 60 days if the placement is extended in accordance with applicable state law.

The BMCW developed special Diagnostic/Assessment Centers for children over age 12 before December 31, 2003. These centers function to determine the appropriate placement for these children based on individual needs.

The BMCW met the prescribed timelines for 77% (109) of the 141 placement episodes in an assessment center, and exceeded the prescribed timelines for 23% (32) of the placement episodes. The performance provided here is for the first six months and demonstrates year-to-date performance only.

§I.D.9 At least the following percentages of children in BMCW custody within the period shall have had three or fewer placements after January 1, 1999, during their current episode in BMCW custody. The number of placements will exclude time-limited respite care placements and returns to the same caretaker after an intervening placement during the same out-of-home episode. Those children in BMCW custody through the Wraparound Milwaukee program shall be excluded from this calculation.

During the first six months of CY 2008, 76% of the children in an out-of-home care placement were in three or fewer placements, compared to the standard that at least 90% of children in out-of-home care within the period shall have three or fewer placements. The BMCW (and partner agencies) were not successful in meeting this performance standard for the first six-month period in CY 2008.

BMCW Performance January through June 2008 on remaining enforceable items – At a Glance

§ I.B.2 At least the following percentages of children in BMCW custody reaching 15 of the last 22 months in out-of-home care during the period shall have had a Termination of Parental Rights (TPR) petition filed on their behalf, or an available Adoption and Safe Families Act (ASFA) exception documented in their case, by the end of their fifteenth month in care.*

CURRENT PERFORMANCE		Past Performance							
2008 – The BMCW met this requirement in the first six months of CY 2008.									
Performance Standard	CY 2008 Result (YTD)	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 - 2008 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
>= 90%	90%	>= 65%	77%	>=75%	88%	>= 90%	29%	79%	85%

* The method for calculating the performance standard for this measure (beginning with CY 2005 and going forward) was adjusted to meet the recommendations by the Legislative Audit Bureau in the February 2006 audit report.

§I.B.6 Of all reunifications with parents/caregivers, at least the following percentages of children shall be reunified within 12 months of entry into care.

CURRENT PERFORMANCE		Past Performance							
2008 - The BMCW did not meet this requirement in the first six month period.									
Performance Standard	CY 2008 Result (YTD)	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 - 2008 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
>= 71%	66%	Monitor Only	45%	>= 65%	63%	>= 71%	72%	71%	69%

§I.C.1 No more than the following percentages of children in BMCW custody shall be the victims of substantiated abuse or neglect allegations within the period by a foster parent or staff of a facility required to be licensed.

CURRENT PERFORMANCE		Past Performance - The performance standard provided here for the first six months demonstrates year-to-date performance only							
2008 – This is an annual measure									
Performance Standard	CY 2008 Result (YTD)	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 - 2008 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
<= 0.60%	0.20%	<= 0.70%	0.57%	<= 0.65%	0.79%	<= 0.60%	0.81%	0.15%	0.93%

§I.D.5 The use of shelter placements shall be phased out entirely. The BMCW phased out all shelter placements by December 31, 2003.									
§I.D.6 By December 31, 2003, and thereafter, no child shall be placed in a shelter. The BMCW no longer uses shelters as a placement for children.									
§I.D.7 Diagnostic/Assessment Centers. By December 31, 2003, the BMCW developed special diagnostic/assessment centers for children over 12 years of age who need further assessment in order to determine the appropriate placement. Placement in such centers follows applicable state law. During the first six months of CY 2008, 32 (23%) placement episodes exceeded the established timelines.									
§I.D.9 At least the following percentages of children in BMCW custody within the period shall have had three or fewer placements after January 1, 1999, during their current episode in BMCW custody. The number of placements will exclude time-limited respite care placements and returns to the same caretaker after an intervening placement during the same out-of-care episode. Those children in BMCW custody through the Wraparound Milwaukee program shall be excluded from this calculation.									
CURRENT PERFORMANCE		Past Performance							
2008 - The BMCW did not meet this requirement in the first six months of CY 2008.									
Performance Standard	CY 2008 Result (YTD)	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 - 2008 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
>= 90%	76%	>= 80%	76%	>= 82%	72%	>= 90%	72%	73%	75%

Timeliness of ASFA compliance

§I.B.2. At least the following percentages of children in BMCW custody reaching 15 of the last 22 months in out-of-home care during the period shall have had a TPR petition filed on their behalf, or an available Adoption and Safe Families Act (ASFA) exception documented in their case, by the end of their fifteenth month in care . . .

Period goal: 90% (or above)
January through June 2008: 90%

Table 1.10: Number and percent of children in ASFA compliance, January through June 2008

Month	Number of children with available exception or TPR (N = 385)	Number of children reaching 15 of 22 months in OHC (N = 429)	Monthly Performance %	YTD/Annual Performance %
January	71	82	87%	87%
February	68	74	92%	89%
March	53	61	87%	88%
April	70	74	95%	90%
May	53	59	90%	90%
June	70	79	89%	90%

Table 1.11: ASFA compliance: Semi-annual and annual performance, CY 2003 to CY 2008

	January to June	July to December	Annual Performance
BMCW CY 2008 YTD	90%	NA	90%
BMCW CY 2007	88%	81%	85%
BMCW CY 2006	77%	80%	79%
BMCW CY 2005	29%	29%	29%
BMCW CY 2004	87%	90%	88%
BMCW CY 2003	70%	84%	77%

The BMCW and its private partner agencies *met the performance standard* of 90% during the first six months of CY 2008.

Discussion

The data in Table 1.10 above show that 385 of the 429 children subject to ASFA requirements had documentation supporting timely ASFA compliance during the first six months of CY 2008. There were 44 children who did not have documentation to support timely ASFA compliance between January 1 and June 30, 2008.

Table 1.12 below show how the 385 children met ASFA compliance during the first six months of CY 2008 compared to CY's 2005, 2006, and 2007.

Table 1.12: Children who met ASFA compliance, January through June 2008

Month	Number of TPRs Filed	Number of "Relative Placement" Exceptions	"Not in Best Interest" Exception
CY 2008 YTD	43 (11%)	189 (49%)	153 (40%)
CY 2007	97 (17%)	234 (40%)	250 (43%)
CY 2006	124 (22%)	252 (45%)	180 (32%)
CY 2005	23 (11%)	91 (45%)	88 (44%)

The BMCW and its private partner agencies met the performance standard of 90% during the first six months of CY 2008.

Reunification within 12 months of placement in out-of-home care

§I.B.6. At least the following percentages of children who are reunified with parents or caretakers at the time of discharge from BMCW out-of-home care within the period shall be reunified within 12 months of entry into out-of-home care. . . .

Period goal: 71% (or above)

Performance January through June, 2008: 66%

During the first six months of CY 2008, 378 children were reunified with their parent(s) or primary caretaker. This represents a 13% (44 children) increase in the number of children compared to the first six months of CY 2007.

Table 1.20: Reunification January through June 2008

	Jan	Feb	Mar	Apr	May	Jun	Semi-Annual Performance
CFCP – Region 1							
Reunifications (N)	20	14	12	15	11	28	100
Number of children reunified within 12 or fewer months	13	12	10	8	5	8	56
Percentage reunified in 12 or fewer months	65%	86%	83%	53%	45%	29%	56%
CFCP – Region 2							
Reunifications (N)	25	11	27	37	14	30	144
Number of children reunified within 12 or fewer months	15	8	24	23	7	17	94
Percentage reunified in 12 or fewer months	60%	73%	89%	62%	50%	57%	65%
La Causa – Region 3							
Reunifications (N)	27	22	23	17	22	23	134
Number of children reunified within 12 or fewer months	22	21	14	11	15	18	101
Percentage reunified in 12 or fewer months	81%	95%	61%	65%	68%	78%	75%
BMCW Totals							
BMCW Reunifications (N)	72	47	62	69	47	81	378
Number of children reunified within 12 or fewer months	50	41	48	42	27	43	251
Percentage reunified in 12 or fewer months	69%	87%	77%	61%	57%	53%	66%

During the first six months of CY 2008, 66% (251 of 378) of the children reunified were reunified within 12 months of entering out-of-home care. The BMCW *did not meet the performance standard* for the first six month period of 2008.

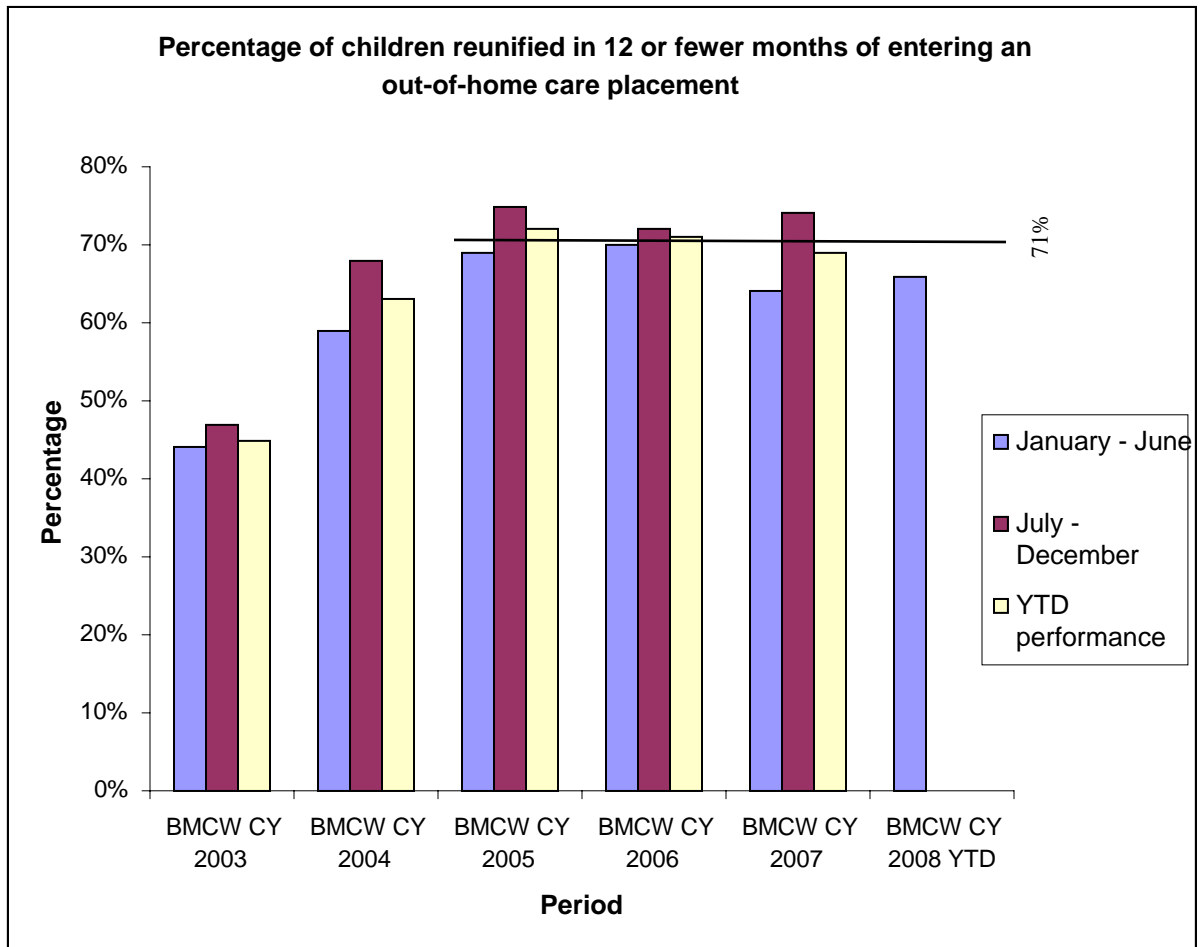
Table 1.21: Reunification: Semi-annual and annual performance, CY 2003 to CY 2008 YTD

	January - June	July - December	YTD performance
BMCW CY 2008 YTD	66%	NA	66%
BMCW CY 2007	64%	74%	69%
BMCW CY 2006	70%	72%	71%
BMCW CY 2005	69%	75%	72%
BMCW CY 2004	59%	68%	63%
BMCW CY 2003	44%	47%	45%

NOTE: During CY 2003, there was no established performance standard. Period 2 was the first year when there was an enforceable performance standard (65%).

Discussion

Chart 1.22: Children reunified within 12 months of entering out-of-home care – six month perspectives



The data in Chart 1.42 show that over the past six years, the percentage of children reunified in 12 or fewer months of entering an out-of-home care placement for the first six months of the year have been below the performance standard of 71% (In Period 1

there was no established performance standard and in Period 2 the performance standard was 65%). Yet, in each successive second month period, performance exceeded the standard, and in CY's 2005 – 2007 the annual performance met or nearly met the performance standard.

In the first six months of CY 2008, children under age 12 accounted for approximately 76% of the children who were reunified within 12 or fewer months of entering out-of-home care compared to 74% in CY 2007.

- Since CY 2003, the largest percentage of children who reunify within 12 or fewer months continues to be children who enter out-of-home care at a younger age.
- Starting in CY 2004, over 80% of the children reunified resided in three or fewer out-of-home care placements. Slightly over 88% of the children who reunified in the first six months of CY 2008 resided in three or fewer placements.
- For the first six months of CY 2008, 51% (191) of the children who were reunified were part of a sibling group which reunified. This is a lower percentage compared to CY 2007 when 59% of the children reunified were part of a sibling group which reunified.

Maltreatment while in out-of-home care

§I.C.1 No more than the following percentages of children in BMCW custody shall be the victims of substantiated abuse or neglect allegations within the period by a foster parent or staff of a facility required to be licensed. . . .

Period goal: 0.60% (at or below)
January through June, 2008: 0.20% (7 children)

NOTE: The performance standard provided for the first six months of CY 2008 demonstrates year-to-date performance only.

Table 1.30: Maltreatment while in out-of-home care, January through June 2008

	Jan	Feb	Mar	Apr	May	Jun	2008 YTD
Substantiated Allegations (children maltreated by foster parent or agency staff)	*2	*1	*2	2	0	0	7
Completed investigations – determinations	23	15	32	31	17	21	139
Number of children entering care	83	79	100	116	103	129	610
Cumulative children in OOHC (2,907 as of 01/01/2008)	2,990	3,069	3,169	3,285	3,388	3,517	
BMCW YTD performance							0.20%

* NOTE: The data provided for the first six months of 2008 does not include eight children who were initially identified with a substantiated allegation of maltreatment. The substantiations of maltreatment were reversed through the Child Abuse Prevention and Treatment Act (CAPTA) appeal process.

The performance standard is calculated by identifying all children in an out-of-home care placement on January 1, 2008 (2,907) and adding the children who entered out-of-home care during the year (610 YTD). This total (3,517) represents all children in out-of-home care during the period. To calculate the performance standard, divide the number of children with a substantiated allegation of maltreatment by a foster parent (“foster parent” does not include Kinship Care relatives) or staff of a licensed facility (7) by the total of all children who were in an out-of-home care placement during the first six months of CY 2008 (3,517).

Discussion

State laws define child abuse and neglect. The complete Wisconsin statutes can be viewed at the Wisconsin State Legislature website: <http://www.legis.state.wi.us/rsb/stats.html>. State laws and policies concerning child maltreatment pertain to children 17 years of age or less, unless otherwise specified. Child maltreatment is generally divided into four basic types: physical neglect, physical abuse, sexual abuse and emotional abuse.

Physical neglect is defined in the statutes as “failure, refusal or inability on the part of a parent, guardian, legal custodian or other person exercising temporary or permanent control over a child, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child.” [Ref. s. 48.981(1)(d), Stats.]

Physical abuse is defined as “physical injury inflicted on a child by other than accidental means.” [Ref. s. 48.02(1)(a), Stats.] This includes non-accidental injury inflicted by any other person. “Physical injury includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe or frequent bruising or great bodily harm, as defined in s. 939.22(14).” [Ref. s. 48.02(14g), Stats.]

Sexual abuse is defined by cross-referencing several crimes in the Wisconsin Criminal Code section of the statutes. In summary, sexual abuse includes the following:

- Sexual intercourse or sexual contact with a child 15 years of age or less;
- Sexual intercourse or sexual contact with a 16- or 17-year old child without his or her consent;
- Inducement of a child to engage in sexually explicit conduct in order to videotape, photograph, etc., that child or videotaping, photographing, etc., a child for such purposes, or producing, distributing, selling or otherwise profiting from such a videotape, photograph, etc.;
- Encouragement by or permission of a person responsible for a child's welfare for a child to engage in sexually explicit conduct for the purpose of videotaping, photographing, etc.;
- Causing a child to view or listen to sexual activity;
- Exposing genitals to a child; or
- Permitting or encouraging a child to engage in prostitution.

Allegations associated with any other form of sexual abuse not specified above are identified as “other sexual abuse.”

Emotional abuse is defined as “emotional damage for which the child’s parent, guardian or legal custodian has neglected, refused or been unable for reasons other

than poverty to obtain the necessary treatment or to take steps to ameliorate the symptoms.” [Ref. s. 48.02(1)(gm), Stats.]

The definitions of child neglect and emotional abuse involve failure on the part of parents or other persons responsible for a child to provide necessary care for a child. The definitions of physical abuse and sexual abuse include harm to a child by any person. Therefore, physical or sexual abuse of a child can include assaults by a parent, stranger, persons unrelated to a child’s family, or peers.

During the first six months of CY 2008, seven children were victims of a substantiated allegation of maltreatment by their licensed caregiver while in an out-of-home care placement. All seven of the children were removed from the placement and all providers are no longer licensed. Table 1.31 below shows the types of substantiated maltreatment that occurred by type of placement.

Table 1.31: Substantiated maltreatment by type of placement, January through June 2008

Relationship to Victim	Neglect - General Lack of Care	Physical Abuse	Lack of Supervision	Medical Neglect	Total
Foster Parent	1	4	0	2	7
Treatment Foster Parent	0	0	2	0	2
Total	1	4	2	2	* 9

* Seven children account for the nine substantiated allegations

Substantiated maltreatment and licensing status

During the first six months of CY 2008, no children were the victims of substantiated maltreatment by staff at a licensed facility.

Seven providers (six households) were found to be maltreators of seven children (two foster parents were named maltreators to one child). The substantiated allegations included neglect, physical abuse, lack of supervision, and medical neglect. Six maltreators (five households) were foster parents and one was a treatment foster parent. All seven providers (six households) are no longer licensed.

Maltreatment by age group and type

In the first six months of CY 2008, the most frequent form of substantiated maltreatment (four children) was physical abuse. This is different from previous years where “neglect – general lack of care” was the most frequent form of maltreatment. Historically, neglect accounted for 64% of the substantiations in CY 2007, 50% in CY 2006, and 65% in CY 2005.

Of the seven child victims of substantiated maltreatment in the first six months of CY 2008, three were under the age of four (3.6, 2.9 and 0.8 yrs old).

Table 1.32: Substantiated maltreatment type by age of child, January through June 2008

Maltreatment Type	Age Group					Grand Total
	2 and under	3 to 4	5 to 11	12 to 15	16+	
Neglect - General Lack of Care		1				1
Physical Abuse	1	1	1	1		4
Lack of Supervision			1	1		2
Other Medical Neglect	1			1		2
Total	2	2	2	3		* 9

* NOTE - Seven children account for the nine allegations

Provisions previously met, but not yet released from reporting and enforcement under the Settlement Agreement:

The following two provisions, *§I.D.5 and §I.D.6* were previously met, but the BMCW has not been released from reporting and enforcement.

Shelter placements phased-out

§I.D.5. The use of shelter placements shall be phased out entirely.

The BMCW phased out all shelter placements by December 31, 2003.

No children placed in shelters

§I.D.6. By December 31, 2003, and thereafter, no child shall be placed in a shelter.

The BMCW no longer uses shelters as a placement option for children.

Development of special diagnostic assessment centers

I.D.7. By December 31, 2003, the BMCW shall develop special diagnostic/assessment centers for children over 12 years of age who need further assessment in order to determine the appropriate placement. Placement in such centers shall not exceed 30 days or 60 days if the placement is extended in accordance with applicable state law.

BMCW **complied with the requirement** to develop special diagnostic/assessment centers for children over 12 years of age.

The performance standard provided for the first six months of CY 2008 demonstrates year-to-date performance only.

In the first six months of CY 2008, there were 115 adolescents who were placed in an Assessment Center.

- The 115 adolescents accounted for 141 placement episodes;
- Of the 141 placement episodes, 77% (109) were within the prescribed timelines, and 23% (32) went beyond timelines.

Many adolescents who remained in centers beyond the prescribed time limits demonstrated a number of challenging behaviors requiring close supervision. These behaviors include severe mental illness compounded by non-compliance with medications, substance abuse, physical aggression, fire setting, self-harming behaviors, and physical and/or sexual abuse of younger children and animals. Other adolescents demonstrated delinquency behaviors, such as stealing, physical aggression, truancy, violation of curfew, and running away.

Overall, the majority of the adolescents (96, or 84%) were placed in an assessment center once. There were 19 adolescents with multiple placement episodes, meaning that they were in an adolescent center more than once during 2008.

Placement Stability

§I.D.9 At least the following percentages of children in BMCW custody within the period shall have had three or fewer placements after January 1, 1999, during their current episode in BMCW custody. The number of placements will exclude time-limited respite care placements and returns to the same caretaker after an intervening placement during the same out-of-home episode. Those children in BMCW custody through the Wraparound Milwaukee program shall be excluded from this calculation.

Period goal: 90% (or above)

Performance January through June 2008: 76%

The BMCW **did not meet** the expected performance standard of 90% or above during the first six months of 2008.

During the first six months of CY 2008, on average, 76% of the children in out-of-home care had three or fewer placements.

Table 1.40 below summarizes the semi-annual and annual performance from CY 2003 through the first six months of CY 2008.

Table 1.40: Placement stability: Semi-annual and annual performance, CY 2003 to YTD 2008

	January - June	July - December	Annual Performance
BMCW CY 2008 YTD	76%	NA	76%
BMCW CY 2007	74%	75%	75%
BMCW CY 2006	73%	73%	73%
BMCW CY 2005	71%	72%	72%
BMCW CY 2004	71%	73%	72%
BMCW CY 2003	75%	77%	76%

Discussion

Information provided in prior settlement reports pointed out that children in out-of-home care may experience multiple and rapid placement moves. During the first six months of CY 2008, this trend continued, and children experienced multiple moves with short times in placements. The information provided below suggests there is a relationship between a child's length-of-stay in their placement (LOP), the number of placements they may experience and their overall length-of-stay (LOS) in out-of-home care.

The data in table 1.41 show the time children were in their previous placements by average and median number of months. For example, a child who is currently in his fourth placement stayed an average of 6 months in each of his three previous placements.

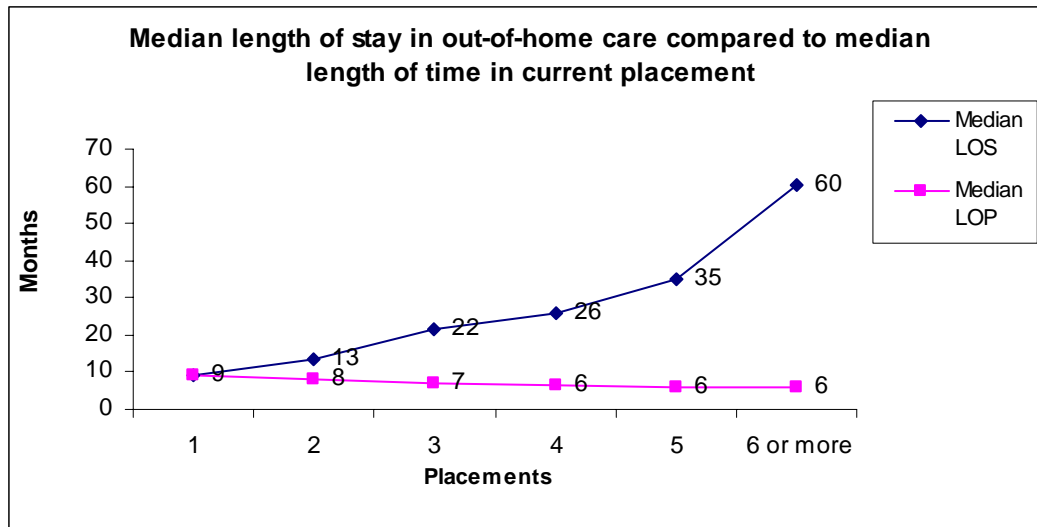
Table 1.41: Length of time in previous placements for children with 4+ placements

Months	4th placement LOP previous 3 placements	5th Placement LOP previous 4 placements	6th Placement LOP previous 5 placements	7th Placement LOP previous 6 placements	8 + Placements LOP all previous placements
Mean	6.0	6.4	6.7	6.2	4.6
Median	2.3	2.3	2.5	2.4	1.6

- An indication that as the number of placements a child has resided in increases, there is a strong likelihood that there will be future placement disruptions;
- National literature indicates that disruptive, aggressive or dangerous behaviors (related to ongoing mental health issues or delinquency type behaviors) by a child is one of the strongest predictors of future placement disruption.

Chart 1.42 shows several important factors regarding the movement of children in out-of-home care: the median length-of-stay in their current placement, the number of placements and the overall length-of-stay in out-of-home care.

Chart 1.42: Median length-of-stay and median time in current placement compared to number of placements



Comparative data in chart 1.42, on the median number of months for length-of-stay in out-of-home care and the median number of months in the current placement, may indicate that by the time a child has a fourth placement there is a probability that the time in subsequent placements will become shorter. In addition, the longer time a child is in out-of-home care the possibility of multiple and a shorter time in placements becomes greater.

Section 2: Provisions no longer subject to enforcement

Previously released provisions – At a Glance

§I.B.3 At least the following percentages of children in BMCW custody for more than 15 of the last 22 months in out-of-home care without a TPR previously filed or an available exception previously documented shall have had a TPR petition filed on their behalf, or an available Adoption and Safe Families Act (ASFA) exception documented in their case by the end of the period.

Current Performance	Past performance							
CY 2008 Result YTD	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
72%	>= 75%	88%	>= 85%	93%	>= 90%	93%	89%	90%

§I.B.4 If the State does not obtain a federal Title IV-E waiver allowing subsidized guardianship before January 1, 2003, then no more than the following percentages of children in BMCW out-of-home care within the period shall be in care for more than 24 months. The percentage shall be calculated against a baseline of 5,533 children in BMCW out-of-home care.

Current Performance	Past performance							
CY 2008 Result YTD	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
18%	<=40%	44%	<=35%	30%	<=25%	23%	18%	18%

§I.B.7 At least the following percentage of children for whom an adoption is finalized within the period shall exit BMCW out-of-home care within 24 months of entry into care.

Current Performance	Past Performance							
CY 2008 Result YTD	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
37%	>= 20%	14%	>= 25%	16%	>= 30%	22%	32%	34%

§I.C.2 At least the following percentages of reports within the period alleging abuse or neglect of a child in BMCW custody shall be referred to the independent investigation agency for independent investigation within three business days.

Current Performance	Past performance							
CY 2008 Result YTD	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
95%	>=80%	99%	>=85%	99%	>=90%	99%	97%	98%

§I.C.3 At least the following percentages of reports referred for independent investigation within the period shall be assigned to an independent investigation agency within three business days of the independent investigation agency's receipt of the referral from BMCW.

Current Performance	Past performance							
CY 2008 Result YTD	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
100%	>=80%	99%	>=85%	99%	>=90%	99%	96%	98%

§I.C.4 Determination of the independent investigations within 60 days of receipt of the referral.

Current Performance	Past performance							
CY 2008 Result YTD	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
99%	>= 80%	98%	>= 85%	98%	>= 90%	99%	98%	96%

§I.D.1-2 The BMCW shall ensure that Ongoing case managers have caseloads not to exceed 11 families per case carrying manager per site . . . (the data provided is the BMCW performance for December 2007).

Current Performance	Past performance							
CY 2008 Result YTD (June)	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
12	<= 13	9.6	<= 11	10	<= 11	10	10	12

§I.D.3 By January 1, 2003 and thereafter for the duration of the agreement, the BMCW will include a contract holdback provision in its Site case management contracts ... that will impose a sufficient holdback on each site that does not meet 90% compliance with monthly face-to-face contact

Current Performance	Past performance							
CY 2008 Result YTD	CY 2003 Standard	CY 2003 Result	CY 2004 Standard	CY 2004 Result	CY 2005 Standard	CY 2005 Result	CY 2006 Result	CY 2007 Result
94%	>= 90%	90%	>= 90%	97%	>= 90%	97%	97%	96%

Information regarding the released provisions

“Belated” ASFA compliance

I.B.3 At least the following percentages of children in BMCW custody for more than 15 of the last 22 months in out-of-home care without a TPR previously filed or an available exception previously documented shall have had a TPR petition filed on their behalf, or an available Adoption and Safe Families Act (ASFA) exception documented in their case by the end of the period. . . .

The percentage is calculated against the baseline of 180* children identified at the beginning of the period.

* NOTE: The baseline initially provided in the Settlement Agreement was 1,146 children, but was modified November 14, 2003 to provide the actual number of children out of compliance with ASFA as identified at the start of each Period (January 1st).

This is a cumulative measure: As a child subsequently moves “belatedly” into compliance, the measure shows cumulative performance over the course of 12 months.

Performance January through June, 2008: 72%

Table 2.00: Belated ASFA compliance, January through June 2008

Children who subsequently achieved “belated” compliance with ASFA	(N)	YTD 2008 (Cumulative Percentage)
129	180	72%

For the first six months of CY 2008, 72% of the children moved “belatedly” into compliance compared to 62% of the children for the same period in CY 2007.

Length-of-stay

I.B.4 If the State does not obtain a federal Title IV-E waiver allowing subsidized guardianship before January 1, 2003 then no more than the following percentages of children in BMCW out-of-home care within the period shall be in care for more than 24 months. The percentage shall be calculated against a baseline of 5,533 children in BMCW out-of-home care. . . .

Performance January through June, 2008: 18%
(as calculated against the baseline of 5,553)

Between January 1 and June 30, 2008, on average 18% of the children in out-of-home care (as measured against the baseline of 5,533) have been in out-of-home care more than 24 months. The following table provides the actual percentage of children in out-of-home care more than 24 months by six month periods since CY 2003.

Table 2.10: Actual percentage of children in an out-of-home care placement for at least 24 months

	Jan 03	June 03	Dec 03	June 04	Dec 04	June 05	Dec 05	June 06	Dec 06	June 07	Dec 07	Jun 08
Children LOS greater than 24 months	2,810	2,413	1,967	1,668	1,534	1,292	1,073	1,015	948	972	977	959
Actual number of children in an OOHC placement	4,472	3,981	3,489	3,345	3,151	3,044	2,825	2,742	2,521	2,617	2,907	2,688
Percent of children in an OOHC placement 24 months or more	62.8%	60.6%	56.4%	49.9%	48.7%	42.4%	38.0%	37.0%	37.6%	37.1%	33.6%	35.7%

*LOS – Length-of-Stay: The values presented for each identified month represent the number of children in an out-of-home care placement 24 or more months on the last day of the month (point-in-time measurement).

** OOHC: out-of-home care

As the data in Table 2.10 indicate, the percentage of children in out-of-home care 24 or more months increased by 2.1% between December 2007 and June 2008.

Discussion

Children who were in out-of-home care, 24 or more months, as of June 2008:

- In June 2008, as in December 2007, 37% of all children in out-of-home care (regardless of length-of-stay) were 12 years or older, yet we continue to

observe that children 12 and older are over represented in the group of children in out-of-home care for 24 months or more (approximately 59%).

- The percentage of children under 12 yrs. of age in out-of-home care 24 or more months has been increasing since December 2005, from 31.5% up to 41.4%

Table 2.11: Percent of children in care 24 or more months by age group

Age at Period End	Dec '05 N =1,076	Dec '06 N = 948	Dec '07 N = 977	Jun '08 N = 959
2 to 4 yrs.	5.2%	8.0%	10.7%	12.1%
5 to 11 yrs.	26.3%	27.5%	28.6%	29.3%
12 to 15 yrs.	35.6%	33.6%	28.4%	27.5%
16 + yrs.	32.8%	30.8%	32.3%	31.1%

Table 2.11 shows that the percentage of children in care 24 or more months between the ages of 2 to 11 years has increased since CY 2005.

Adoption within 24 months of removal

§I.B.7 At least the following percentage of children for whom an adoption is finalized within the period shall exit BMCW out-of-home care within 24 months of entry into care. . . .

Performance January through June 2008: 37%

The BMCW and its private partner agencies exceeded the previous performance standard of 30% or higher over the past four consecutive six month periods.

Table 2.20: Adoptions: January through June 2008

Time to Adoption	Jan	Feb	Mar	Apr	May	Jun	Semi-Annual Performance
Within 24 months	6	12	4	4	5	10	41
(Monthly percentage)	46%	46%	29%	31%	23%	45%	37%
More than 24 months	7	14	10	9	17	12	69
(Monthly percentage)	54%	54%	71%	69%	77%	55%	63%
Total number of finalized adoptions	13	26	14	13	22	22	110

Discussion

Table 2.21 below show general descriptive data about the children adopted during the first six months of CY 2008.

Table 2.21: Length-of-stay (LOS) in out-of-home care for children adopted, January through June 2008

		Length-of-stay in out-of-home care				
		Within 24 Months	24-36 Months	37-48 Months	49-60 Months	61 + Months
Number of Children (N=110)		41	20	30	9	10
Gender	M (61)	27	8	15	6	5
	F (49)	14	12	15	3	5
Age	0 to 5	35	15	11	3	0
	6 to 11	6	4	14	5	5
	12 to 15	0	0	4	1	3
	16+	0	1	1		2

During the first six months of CY 2008, the BMCW and its private partner agency, Children's Service Society of Wisconsin, continued to show progress for children achieving timely adoption for the fifth consecutive year.

Of the children adopted in the first six months of CY 2008:

- Approximately 58% were 5 years of age or younger;
- 31% were between the ages of 6 and 11;
- 7% were between the ages of 12 and 15;
- 4% of the children adopted were 16 years old or older.

Timeliness of referrals from the Access unit to the independent investigation agency

I.C.2 At least the following percentages of reports within the period alleging abuse or neglect of a child in BMCW custody shall be referred to the independent investigation agency for independent investigation within three business days. . . .

Performance January through June, 2008: 95%

Table 2.30: Reports from Access to independent investigation within three days, January through June 2008

	Jan	Feb	Mar	Apr	May	Jun	YTD
Number of reports requiring Independent Investigations during period	33	29	24	32	14	20	152
Number referred to Independent Investigations agency within three business days	31	27	23	31	14	19	145
Percentage of reports referred to Independent Investigation within three days	94%	93%	96%	97%	100%	95%	95%

Between January and June 2008, there were 152 reports that required an independent investigation. Of that total, 145 (95%) were referred by the BMCW Access unit to the independent investigation contract agency (Community Impact Programs) within three business days.

During CY 2007, 98% of the reports that required an independent investigation were referred to the independent investigation contract agency (Community Impact Programs) within three business days.

Timeliness of the assignment by the independent investigation agency to an independent investigator

I.C.3 At least the following percentage of reports referred for independent investigation within the period shall be assigned to an independent investigator by the independent investigation agency within three business days of the independent investigation agency's receipt of the referral from BMCW. . .

Performance January through June, 2008: 100%

Table 2.40: Assignment to independent investigator within three days, January through June 2008

	Jan	Feb	Mar	Apr	May	Jun	YTD
Number of referrals to independent investigations agency	33	29	24	32	14	20	152
Number assigned within three business days	33	29	24	32	14	20	152
Percentage of referrals assigned to investigator within three days	100%	100%	100%	100%	100%	100%	100%

Between January and June, 100% (152) of all reports (152) were assigned to an independent investigator within three business days. This compares to 98% of all reports, in CY 2007, assigned to an independent investigator within three business days.

Timeliness of the independent investigation agency completing the independent investigations

I.C.4 The determination required by section 48.981(3)(c)4 of the Wisconsin Statutes must be made within 60 days of receipt of the referral by the independent investigation agency in at least the following percentages of independent investigations referred by BMCW. . .

Performance January through June, 2008: 99%

Table 2.50: Timeliness in completing independent investigations, January through June 2008

	Jan	Feb	Mar	Apr	May	Jun	YTD
Total number of determinations completed for the period	23	15	32	31	17	21	139
Number of determinations completed within 60 business days during the period	23	15	32	31	16	21	138
Percentage of investigations completed within 60 days	100%	100%	100%	100%	94%	100%	99%

Of the 139 independent investigations completed during the first six months of CY 2008, 138 (99%) were completed within 60 days of receipt of referral.

During CY 2007, 96% of the independent investigations were completed within 60 days of receipt of referral.

Caseload size for Ongoing Case Management program

§I.D.1 BMCW shall ensure that ongoing case managers have caseloads not to exceed an average of 11 families per case-carrying manager. Compliance with this requirement at any given point in time shall be measured by averaging each Site's current monthly caseload average with the corresponding Site averages for the preceding two months.

The calculation reflects only ongoing case managers (OCM) with an active caseload. Mentors who are carrying cases, typically with a reduced caseload, or supervisors who may temporarily be carrying a case, are not included in the computation of the caseload statistics. By design, the mentors carry lower caseloads because they have other duties and responsibilities. Including the mentors in the calculation might artificially reduce the average caseload numbers at each region, just as excluding the mentors may artificially inflate the average. Although the mentors (and supervisors) are not included in the measurement, the cases that they carry are included in the overall three-month rolling average calculation.

Table 2.60: Average caseload per OCM by region, January through June 2008

	Nov 07	Dec 07	Jan 08	Feb 08	Mar 08	Apr 08	May 08	Jun 08
Region 1								
Open Cases			575	569	560	553	552	572
Active OCMs EOM			51	55	50	51	52	49
Monthly Average	10.2	10.8	11.3	10.3	11.2	10.8	10.6	11.7
Performance			10.8	10.8	10.9	10.8	10.9	11.0
Region 2								
Open Cases			648	656	660	673	683	682
Active OCMs EOM			58	54	57	61	60	63
Monthly Average	10.5	10.8	11.2	12.1	11.6	11.0	11.4	10.8
Performance			10.8	11.4	11.6	11.6	11.3	11.1
Region 3								
Open Cases			646	648	647	667	674	664
Active OCMs EOM			43	38	43	45	48	56
Monthly Average	14.7	14.4	15.0	17.1	15.0	14.8	14.0	11.9
Performance			14.7	15.5	15.7	15.6	14.6	13.6
BMCW								
Open Cases			1869	1873	1867	1893	1909	1918
Active OCMs EOM			152	147	150	157	160	168
Monthly Average	11.6	11.8	12.3	12.7	12.4	12.1	11.9	11.4
Performance			11.9	12.3	12.5	12.4	12.1	11.8

The data in Table 2.60 show that for the first three months of CY 2008, the average caseload size increased from 11.9 cases per ongoing case manager up to 12.5. In the subsequent three months, we observe a decreasing caseload size down to an average of 11.8 per ongoing case manager, but above the average of 11 families per ongoing case manager.

Face-to-face contact

I.D.3 By January 1, 2003 and thereafter for the duration of this agreement, BMCW will include a contract holdback provision in its BMCW Site case management contracts for each BMCW case management Site that will impose a sufficient holdback on each site that does not meet 90% compliance with monthly face-to-face visits of children in BMCW custody by their case manager.

I.D.4 BMCW will enforce the monthly face-to-face visit holdback provisions in case of noncompliance for months beginning with July, 2003.

Performance January through June, 2008: 94%

Table 2.70: Face-to-face contact by OCMs by region, January through June 2008

Month 2008	Region 1 (CFCP)	Region 2 (CFCP)	Region 3 (La Causa)
January	93%	92%	95%
February	93%	90%	96%
March	95%	93%	96%
April	95%	90%	98%
May	95%	89%	95%
June	95%	96%	92%

In the first six months of CY 2008, on average, ongoing case managers met with 94% of all children, monthly. This is slightly lower than the CY 2007 annual performance of 96%.

Section 3: Process indicators and outcomes

Process Indicators at a Glance

January – June 2008

Informational Purposes Only (some figures were rounded up)

Process Indicators and Outcomes	CY 2003	CY 2004	CY 2005	CY 2006	CY 2007	CY 2008 YTD
Family assessments completed within 90 days	96%	97%	95%	95%	88%	69%
Initial health screens – within 5 business days	58%	76%	67%	75%	61%	58%
Placement packets to Foster Parents	91%	85%	97%	73%	86%	82%
Annual medical exam	75%	74%	73%	85%	78%	75%
Annual dental exam	57%	65%	64%	78%	67%	62%
Initial Permanency Plans within 60 days	97%	97%	98%	95%	90%	81%
Annual and administrative Permanency Plan reviews	77%	77%	92%	91%	92%	92%
Re-entry within 12 months of a prior out-of-home care episode	9%	7%	7%	10%	11%	7%
BMCW turnover	30%	39%	33%	26%	34%	22%
Children per caseload (December 31 point in time)	19.5	18.5	17.0	18.4	21.9	19.9

Information regarding process indicators and outcomes

The information provided in Section 3 was formerly identified as “monitoring items.” The BMCW is continuing to report to and inform the community on the progress toward achieving identified process indicators and outcomes.

Timeliness of completing initial family assessments

The BMCW monitors the timely completion (within 90 days of their first placement) of the initial family assessments.

Table 3.10: Timeliness of initial family assessments, January through June 2008

	Jan	Feb	Mar	Apr	May	Jun	YTD
Region 1 (CFCP)							
Family assessments due (N)	10	12	14	11	13	15	75
Family assessments completed within 90 days	9	10	13	9	13	12	66
Percentage (point in time)	90%	83%	93%	82%	100%	80%	88%
Region 2 (CFCP)							
Family assessments due (N)	14	15	17	14	11	15	86
Family assessments completed within 90 days	8	11	4	9	9	7	48
Percentage (point in time)	57%	73%	24%	64%	82%	47%	56%
Region 3 (La Causa)							
Family assessments due (N)	19	9	19	15	31	18	111
Family assessments completed within 90 days	11	6	13	9	25	11	75
Percentage (point in time)	58%	67%	68%	60%	81%	61%	66%
BMCW							
New families entering Ongoing Case Management services (N)	43	36	50	40	55	48	272
Family assessments completed within 90 days	28	27	30	27	47	30	189
BMCW percentage (point in time)	65%	75%	60%	68%	85%	63%	69%

During the first half of CY 2008, 69% (189 of 272) of the family assessments were completed within 90 days. Region 2 (56%) and Region 3 (66%) show a decrease in performance compared to their year end performance in CY 2007 of 80.6% and 93.7% respectively.

Timeliness of initial health screens for children entering out-of-home care

*To identify any existing or possible health concerns, *all children who enter out-of-home care will have an initial health screen. The BMCW expects children to have an initial health screen within five business days of entering out-of-home care, when possible.*

*With the exception of newborns detained directly from the hospital and children returned home prior to the fifth business day.

Table 3.20: Initial health screens completed within five days of entering care, YTD 2008

Region 1	Jan	Feb	Mar	April	May	Jun	YTD Performance
Health screens within five business days	15	12	6	26	8	13	80
Total children	25	13	14	45	22	27	146
Monthly performance	60%	92%	43%	58%	36%	48%	55%
Region 2	Jan	Feb	Mar	April	May	Jun	YTD Performance
Health screens within five business days	22	6	5	18	14	6	71
Total children	30	11	21	28	28	24	142
Monthly performance	73%	55%	24%	64%	50%	25%	50%
Region 3	Jan	Feb	Mar	April	May	Jun	YTD Performance
Health screens within five business days	12	30	28	21	19	29	139
Total children	20	33	45	35	29	49	211
Monthly performance	60%	91%	62%	60%	66%	59%	66%
BMCW	Jan	Feb	Mar	April	May	Jun	YTD Performance
Health screens within five business days	49	48	39	65	41	48	290
Total children	75	57	80	108	79	100	499
Monthly performance	65%	84%	49%	60%	52%	48%	58%

Discussion

In addition to tracking the number of children who receive initial health screen examinations within five business days of their first placement, the BMCW also tracks all children in their first placements to verify if and when they have exams, as well as reasons for exams not being completed. The information below details this process:

- 290 of the 499 children (58%) received their initial health screen within five business days of their first placement;
- 384 of the 499 children (77% - cumulative total) received their initial health screen within seven days of their first placement;
- 432 of the 499 children (87% - cumulative total) received their initial health screen within 14 days of their first placement;
- 455 of the 499 children (91% - cumulative total) received their initial health screen within 30 days of entering care; and
- 44 of the 499 (9%) children did not receive an initial health screen within 30 days of entering care. Generally, these children receive a medical evaluation at a later date.

Placement packet information

To provide exceptional care, foster parents need up-to-date health and educational information regarding the children in their homes. The BMCW monitors that caregivers are receiving this information in a placement packet through reviewing a random sample of at least 50 children placed with a new caretaker.

During the first six months of CY 2008, a random sample of 17 cases per region (a total of 51 cases) was drawn where a child’s placement began on or after January 1, 2008. Each region was required to provide verification that the caregiver received and signed for a copy of the Information for Foster Parents Face Sheet and Checklist (CFS-0872).

Table 3.30: Placement packets completed among sample group, YTD 2008

BMCW Region	January through June 2008	
	Jan to June completed N=17	Jan to June result
Region 1 (CFCP) (N=17)	16	94%
Region 2 (CFCP) (N=17)	11	65%
Region 3 (La Causa) (N=17)	15	88%
BMCW percent completed placement packets (N=51)	42	82%

In the first six months of CY 2008, 82% of the caregivers (in the sample) received and signed for a copy of the Information for Foster Parents Face Sheet and Checklist. This is slightly higher than the 80% observed in the first six months of CY 2007, but lower than the 92% achieved in the second six months of CY 2007.

Children with updated annual physical and dental examinations

Medical and dental health care are an integral part of a child's care. The BMCW expects all children in care to be current with their annual pediatric medical and dental exams.

The tables below present the monthly percentages by region for children who are current with their annual physical and dental exams, as indicated in eWiSACWIS.

Table 3.40: Annual medical exams, January through June 2008

Region 1 (CFCP)	Jan	Feb	Mar	Apr	May	Jun
Number of children (N)	784	773	760	756	762	756
Number children with up-to-date annual medical exams	671	625	563	545	544	541
Monthly percent of children up-to-date with annual medical exam	85.6%	80.9%	74.1%	72.1%	71.4%	71.6%
YTD medical exam performance percent	85.6%	83.2%	80.2%	78.2%	76.9%	76.0%
Region 2 (CFCP)						
Number of children (N)	912	938	929	939	929	926
Number children with up-to-date annual medical exams	716	680	637	665	635	606
Monthly percent of children up-to-date with annual medical exam	78.5%	72.5%	68.6%	70.8%	68.4%	65.4%
YTD medical exam performance percent	78.5%	75.5%	73.2%	72.6%	71.7%	70.7%
Region 3 (La Causa)						
Number of children (N)	786	792	781	791	795	797
Number children with up-to-date annual medical exams	566	547	593	607	714	713
Monthly percent of children up-to-date with annual medical exam	72.0%	69.1%	75.9%	76.7%	89.8%	89.5%
YTD medical exam performance percent	72.0%	70.5%	72.3%	73.4%	76.7%	78.9%
BMCW						
Number of children (N)	2,482	2,503	2,470	2,486	2,486	2,479
Number children with up-to-date annual medical exams	1,953	1,852	1,793	1,817	1,893	1,860
Monthly percent of children up-to-date with annual medical exam	78.7%	74.0%	72.6%	73.1%	76.1%	75.0%
YTD medical exam performance percent	78.7%	76.3%	75.1%	74.6%	74.9%	74.9%

Table 3.41: Annual dental exams, January through June 2008

Region 1 (CFCP)	Jan	Feb	Mar	Apr	May	Jun
Number of children (N)	647	631	620	627	627	623
Number children with up-to-date annual dental exams	460	427	394	400	380	377
Monthly percent of children up-to-date with annual dental exam	71.1%	67.7%	63.5%	63.8%	60.6%	60.5%
YTD dental exam performance percent	71.1%	69.4%	67.5%	66.6%	65.4%	64.6%
Region 2 (CFCP)						
Number of children (N)	749	767	757	760	750	747
Number children with up-to-date annual dental exams	491	471	432	424	401	399
Monthly percent of children up-to-date with annual dental exam	65.6%	61.4%	57.1%	55.8%	53.5%	53.4%
YTD dental exam performance percent	65.6%	63.5%	61.3%	59.9%	58.7%	57.8%
Region 3 (La Causa)						
Number of children (N)	596	602	588	591	593	606
Number children with up-to-date annual dental exams	341	317	337	348	463	479
Monthly percent of children up-to-date with annual dental exam	57.2%	52.7%	57.3%	58.9%	78.1%	79.0%
YTD dental exam performance percent	57.2%	54.9%	55.7%	56.5%	60.8%	63.9%
BMCW						
Number of children (N)	1,992	2,000	1,965	1,978	1,970	1,976
Number children with up-to-date annual dental exams	1,292	1,215	1,163	1,172	1,244	1,255
Monthly percent of children up-to-date with annual dental exam	64.9%	60.8%	59.2%	59.3%	63.1%	63.5%
YTD dental exam performance percent	64.9%	62.8%	61.6%	61.0%	61.4%	61.8%

* Note: Children three years of age and older in BMCW custody are required to receive annual dental examinations.

Timeliness of completing the initial permanency plan

The BMCW monitors that an initial permanency plan be in place for all children within 60 days of a child entering BMCW custody, according to the federal standard.

Table 3.50: Timeliness of completing initial permanency plan, January through June 2008

Region 1 CFCP	Jan	Feb	Mar	Apr	May	Jun	YTD
Number due during period (N)	14	20	15	23	18	28	118
Number completed on time	14	20	14	23	16	28	115
Percentage (point in time)	100%	100%	93%	100%	89%	100%	97%
Region 2 CFCP							
Number due during period (N)	23	25	36	27	23	24	158
Number completed on time	23	23	36	23	19	19	143
Percentage (point in time)	100%	92%	100%	85%	83%	79%	91%
Region 3 (La Causa)							
Number due during period (N)	30	11	16	15	52	30	154
Number completed on time	19	2	11	13	24	21	90
Percentage (point in time)	63%	18%	69%	87%	46%	70%	58%
BMCW							
Number due during period (N)	67	56	67	65	93	82	430
Number completed on time	56	45	61	59	59	68	348
Percentage (point in time)	84%	80%	91%	91%	63%	83%	81%

During the first six months of CY 2008, 81% (348 of 430) of the initial permanency plans were completed within 60 days. In the first six months of CY 2008, Region 3 showed a sizeable drop in performance (58%) compared to their year end performance in CY 2007 (78.6%).

Timeliness of judicial or administrative permanency plan reviews

The BMCW monitors the federal requirement that a judicial or administrative permanency plan review occurs every 6 months and at least one judicial permanency plan review occurs annually.

Table 3.60: Timeliness of judicial or administrative permanency plan reviews, January through June 2008

Perm. Plan Reviews	Jan	Feb	Mar	Apr	May	Jun	YTD
(N)	563	337	457	467	405	381	2,610
Current permanency plan reviews *	537	314	423	433	371	329	2,407
Percentage Completed	95%	93%	93%	93%	92%	86%	92%

* Includes permanency plans heard in court and permanency plans heard by a Court Commissioner

In the first six months of CY 2008, 92% of the scheduled permanency plans were conducted in a timely manner. This is consistent with the 92% performance for CY 2007.

Children re-entering out-of-home care within 12 months of leaving a prior out-of-home care episode

The BMCW monitors the percentage of children re-entering out-of-home care within the period who have re-entered care within 12 months of a prior out-of-home care episode.

Of the 610 children placed in out-of-home care between January and June 2008, 85 children re-entered care after a prior episode in out-of-home care. Of the 85 children who re-entered care, 44 (52%) did so within 12 months of a prior foster care episode.

Table 3.70: Re-entry into out-of-home care, January through June 2008

2008	Number of children who entered OOHC	Number of children who re-entered OOHC within 12 months of a prior OOHC episode	Percent of entries into OOHC that were within 12 months of a prior OHC episode
Total	610	44	7%

During the first six months of CY 2008, the number of children who re-entered out-of-home care within 12 or fewer months of a prior foster care episode (44 children) was significantly lower than the total children in CY 2007 (137), accounting for 32% of the CY 2007 total.

Table 3.71: Time to re-enter compared to time in care for previous episode

Time to re-entry	Length-of-stay for previous OHC episode				Grand Total
	6 or fewer months	7 to 12 months	13 to 18 months	19 months or more	
Re-entry within 3 months	9	5	2		16
Re-entry between 3 - 6 months	11	3	2	2	18
Re-entry between 6 - 9 months	3	1	1	1	6
Re-entry between 9 - 12 months	3		1		4
Grand Total	26	9	6	3	44

The data in Table 3.71 show for all children who re-entered out-of-home care within 12 months of a prior episode, the length of their previous episode (months) and the time between their exit and return to out-of-home care.

- 59% of the children who re-entered out-of-home care were in care six or fewer months prior to reaching permanence.
- 79% of the children who re-entered out-of-home care were in care 12 or fewer months prior to reaching permanence.

- 77% of the children who re-entered out-of-home care did so within six months of their previous episode.
- 20% of the children who re-entered out-of-home care had a previous episode length of six or fewer months and returned to out-of-home care within three months.

Table 3.72 below is set up similar to the above table except that it compares the ages of children at the time of their re-entry to the time between their exit from out-of-home care and when they re-entered.

Table 3.72: Age at re-entry compared to time to re-enter

Child Age at Re-Entry	Re-entry within 3 months	Re-entry between 3 - 6 months	Re-entry between 6 - 9 months	Re-entry between 9 - 12 months	Grand Total
4 and under	2	5	0	0	7
5 to 11	6	3	0	3	12
12 to 15	4	5	3	1	13
16 +	4	5	3	0	12
Grand Total	16	18	6	4	44

- 57% of the children who re-entered out-of-home care were 12 years or older at the time of their return.
- 84% of the children under the age of 12, who re-entered, re-entered within six months of a prior out-of-home care episode.
- 72% of the children 12 years of age or older, who re-entered, re-entered within six months of a prior out-of-home care episode.

What factors were identified that lead to the child’s re-entry into out-of-home care within 12 months of a prior out-of-home care episode? Table 3.73 below, gives factors cited as contributing to the re-entry.

Table 3.73: Factors identified at time of re-entry

<u>Issues identified at time of re-entry:</u>	<u>Number of Children</u>
Child Behavior - Parents unable to manage child’s behaviors	15
Physical Abuse	9
AODA and/or Domestic Violence (Parent)	6
Mental Health (MH) Issues/Physical Abuse	3
Child Behavior - MH (Child)-Danger to self	2
Child Behavior - Parents unable to manage - MH - AODA	2
Lack of Supervision	2
Parents unable to provide stable living environment	2
Parent unable to meet child’s needs	1
Parent unwilling to care for child	1
Untreated MH (parents)	1
Total	44

In the first six months of CY 2008, the information relating to re-entry factors by age suggests a distinction between children under the age of 12 who re-entered out-of-home care and those children who re-entered and were 12 years or older.

Children under 12 years old

In the first six months of CY 2008, 19 children under the age of 12 re-entered out-of-home care within 12 months of a prior out-of-home care episode.

Although there may be multiple and coexisting factors:

- 11 of the children were victims of physical abuse.
- Seven of the children's parents had AODA or mental health issues identified which were factors in the re-entry.
- Four of the children also witnessed or experienced domestic violence within the home.

The data appear to show that the youngest and most vulnerable children were more likely to experience acts of physical aggression.

Children 12 years of age and older

In the first six months of CY 2008, 25 children 12 years of age and older re-entered out-of-home care within 12 months of a prior out-of-home care episode.

The reasons identified for children under the age of 12 are clearly actions taken against the children, such as physical abuse. Yet, there is a distinct difference identified for children 12 years and older who re-entered out-of-home care within 12 months of a prior out-of-home care episode.

For 18 of the 25 children who re-entered, the child's behaviors were cited as at least one primary factor which lead to the re-entry. These behaviors were characterized as:

- Parents unable to manage the child's difficult behaviors, mental health and/or AODA issues.
- The child exhibited behaviors that were a danger to self.
- Parents unable to meet the child's needs.
- Child began exhibiting sexually aggressive behaviors.

- Child involved in “delinquent” type behaviors.

The re-entry information for the first six months suggests that the younger more vulnerable children who re-entered were more likely to be the victim of physical aggression, such as physical abuse (11 children) by an adult. Children 12 years and older appear to have experienced significantly fewer acts of aggression against their person (two children with physical abuse) by an adult but re-entered because the parents were not able to successfully manage what was identified as factors relating to the child’s behaviors.

Turnover within Ongoing Case Management programs

The BMCW provides information about turnover within its ongoing case management workforce using a variety of methods and calculations. To report turnover performance, the BMCW continues to use the method described in the settlement agreement so performance can be compared year to year.

Table 3.80: Ongoing case manager employment by region, January through June 2008

Region 1 (CFCP)	Jan	Feb	Mar	Apr	May	Jun	YTD
OCMs at start of month	54	58	51	54	55	56	
OCMs hired during month	5	1	4	1	4	5	20
OCMs separating during month	1	8	1	0	3	4	17
Turnover % by month	1.7%	13.6%	1.8%	0.0%	5.1%	6.6%	23.0%
OCM's enrolled FT in the IVE Program	1	1	1	1	1	1	
OCM's on a Leave of Absence	0	0	0	0	0	0	
OCM Vacancies (60 positions)	-6	-2	-9	-6	-5	-4	
Region 2 (CFCP)	Jan	Feb	Mar	Apr	May	Jun	YTD
OCMs at start of month	61	64	65	66	72	73	
OCMs hired during month	4	5	4	7	4	3	27
OCMs separating during month	1	4	3	1	3	3	15
Turnover % by month	1.5%	5.8%	4.3%	1.4%	3.9%	3.9%	17.0%
OCM's enrolled FT in the IVE Program	1	1	1	1	1	1	
OCM's on a Leave of Absence	0	0	0	0	0	0	
OCM Vacancies (60 positions)	+1	+4	+5	+6	+12	+13	
Region 3 (La Causa)	Jan	Feb	Mar	Apr	May	Jun	YTD
OCMs at start of month	50	49	48	53	57	59	
OCMs hired during month	3	5	6	7	7	0	28
OCMs separating during month	4	6	1	3	5	1	20
Turnover % by month	7.5%	11.1%	1.9%	5.0%	7.8%	1.7%	25.6%
OCM's enrolled FT in the IVE Program	3	3	3	3	3	3	
OCM's on a Leave of Absence	3	3	1	1	2	0	
OCM Vacancies (65 positions)	-15	-16	-17	-12	-8	-6	
BMCW	Jan	Feb	Mar	Apr	May	Jun	YTD
OCMs at start of month	165	171	164	173	184	188	
OCMs hired during month	12	11	14	15	15	8	75
OCMs separating during month	6	18	5	4	11	8	52
Turnover % by month	3.4%	9.9%	2.8%	2.1%	5.5%	4.1%	21.7%
OCM's enrolled FT in the IVE Program	5	5	5	5	5	5	
OCM's on a Leave of Absence	3	3	1	1	2	0	
OCM Vacancies (185 positions)	-20	-14	-21	-12	-1	+3	

To calculate turnover:

- First, identify the number of ongoing case managers who separated employment for any reason. The number of separations is divided by the sum of the number of ongoing case managers at the beginning of the period plus the ongoing case managers hired during the period. For the first six months of CY 2008, the BMCW shows a 21.7% turnover rate (52 workers exited / (165 OCMs + 75 hires) = 21.7%).

Discussion

The BMCW recognizes that its most significant asset is its workforce. All changes within the workforce are important to understand so that retention efforts can be focused on current concerns, which, in the long run, may improve outcomes for children and families. National literature indicates that there is no single measure that adequately or completely portrays what is occurring within a workforce. For this reason, the BMCW describes turnover in the Ongoing Case Management workforce using a variety of methods.

Table 3.81 shows turnover during the first six months of CY 2008. The upper section of Table 3.81 provides, by month, the number of employees who separated employment, the number of ongoing case managers at the beginning of each month, and the number of ongoing case managers hired during the month. The last column provides the calculation of a monthly turnover percentage. The second section of Table 3.81 shows, by year, the same information, except it provides the annual totals and performance calculation.

Table 3.81: Ongoing case management turnover, January through June 2008

2008 YTD	Number of OCMs separating employment for any reason	Number of OCMs at beginning of month	Number of OCMs hired during period	Turnover rate for Period - per definition used in Settlement
January	6	165	12	3.4%
February	18	171	11	9.9%
March	5	164	14	2.8%
April	4	173	15	2.1%
May	11	184	15	5.5%
June	8	188	8	4.1%
CY 2008 YTD	52	NA	75	21.7%
CY 2007	90	180	83	34.2%
CY 2006	63	217	30	25.5%
CY 2005	113	206	132	33.4%
CY 2004	129	233	101	38.6%
CY 2003	98	218	108	30.1%

- In February, 18 ongoing case managers separated from their positions. Since CY 2003, this was the second largest number of ongoing case managers to separate in one month. In July of CY 2005, 19 ongoing case managers separated from their positions.
- Reasons cited for OCMs separations in February 2008:
 - Four – Voluntary resignation no reason provided
 - Three – Moved away from the area
 - Three – Job dissatisfaction
 - Two – Personal reasons
 - Two - Promoted within the agency
 - One – Found another position in Social Services, not child welfare
 - One – To attend school
- Historically, in descending order, the four months with the highest number of OCM exits are August, June, May and January.

Table 3.82: Reasons ongoing case managers provided for leaving employment, CY 2003 through June 2008

Reason for Ending Employment	CY 2003 % of Exits N=98	CY 2004 % of Exits N=129	CY 2005 % of Exits N=113	CY 2006 % of Exits N=63	CY 2007 % of Exits N=90	CY 2008 YTD % of Exits N=52
Voluntary resignation (reason unknown)	51%	36%	12%	24%	19%	29% (15)
Promoted within the agency	NA	1%	11%	3%	3%	13% (7)
Personal Reasons	NA	NA	NA	NA	NA	12% (6)
Job dissatisfaction	6%	6%	7%	10%	6%	10% (5)
Terminated by agency	14%	7%	4%	13%	8%	10% (5)
Spousal job relocation or relocation	5%	18%	12%	11%	8%	8% (4)
Transferred within agency	2%	7%	3%	2%	1%	6% (3)
Attend school (graduate)	7%	10%	13%	13%	18%	4% (2)
Different position in social services	6%	2%	20%	21%	27%	4% (2)
Parenting/child rearing	NA	NA	12%	5%	4%	4% (2)
Different position (not social services)	4%	8%	4%	NA	4%	2% (1)
Transferred to another BMCW region	3%	2%	NA	NA	2%	NA
Obtained a position with the State of Wisconsin	1%	4%	1%	NA	NA	NA

The information in Table 3.82 show for the period January through June 2008:

- Voluntary resignation (reason unknown) was the most frequent reason provided (29%) by ongoing case managers when they were leaving.
- 13% (7) of the ongoing case managers who left their positions were promoted within their agency.
- 10% (5) of the ongoing case managers who left their positions indicated that they were not satisfied with the job.

Average number of children per caseload, January through June 2008

The BMCW monitors the monthly caseload averages of children per ongoing case manager for those who are carrying cases.

Table 3.90: Average number of children per caseload

	Jan 08	Feb 08	Mar 08	Apr 08	May 08	Jun 08
Region 1						
Children in out-of-home care	858	838	839	839	826	794
Children on a court order of supervision	176	183	181	171	167	183
OCMs EOM	51	55	50	51	52	49
Average # of children per caseload	20.3	18.6	20.4	19.8	19.1	19.9
Region 2						
Children in out-of-home care	1,046	1,048	1,044	1,078	1,029	1,008
Children on a court order of supervision	155	154	152	168	172	187
OCMs EOM	58	54	57	61	60	63
Average # of children per caseload	20.7	22.3	21.0	20.4	20.0	19.0
Region 3						
Children in out-of-home care	894	866	926	936	900	886
Children on a court order of supervision	260	299	265	268	268	284
OCMs EOM	43	38	43	45	48	56
Average # of children per caseload	26.8	30.7	27.7	26.8	24.3	20.9
BMCW						
Children in out-of-home care	2,798	2,752	2,809	2,853	2,755	2,688
Children on a court order of supervision	591	636	598	607	607	654
OCMs EOM	152	147	150	157	160	168
Total Children on caseload	3,389	3,388	3,407	3,460	3,362	3,342
Average # of children per caseload	22.3	23.0	22.7	22.0	21.0	19.9

Through the first six months of CY 2008, the average number of children per caseload decreased. The number of ongoing case managers increased throughout this six month period.

This completes the report