

Settlement Agreement First Semi-Annual Report
January 2009 – June 2009

Department of Children and Families
Prepared by the Office of Performance and Quality Assurance
Bureau of Performance Management
Performance Review and Evaluation Section

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Introduction

Background to Jeanine B. Settlement Agreement

This report provides information on the progress of the Bureau of Milwaukee Child Welfare (BMCW) in meeting the requirements of the Jeanine B. Settlement Agreement. It includes the semi-annual performance outcomes for January 1 through June 30, 2009.

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 the Milwaukee County Human Services Division, the Governor, and the Secretary of the Department of Health and Social Services [The Department was subsequently renamed the Department of Health and Family Services. Beginning in July 2008, responsibility for the BMCW was transferred to the newly created 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 for administering and funding Milwaukee County Child Welfare to improve the safety and well-being of children effective January 1, 1998. 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 Milwaukee County children in out-of-home care.

Transition Updates:

During the first six months of calendar year 2009, there was a change in ongoing case management and safety services vendors at Region 3. Department of Children and Families Secretary Reggie Bicha announced on March 30, 2009, that St. Amelian-Lakeside, Inc. was selected to provide ongoing case management and safety services for the children and families of Milwaukee County. The transition of services from La Causa to Integrated Family Services, a subsidiary of St. Amelian-Lakeside was completed and Integrated Family Services began operations in Region 3 on May 15, 2009.

In addition, the Program Review and Evaluation Section (PRES) in the Office of Performance and Quality Assurance (OPQA) was created to consolidate Bureau of Milwaukee Child Welfare (BMCW) Quality Assurance functions and Jeanine B. Settlement Agreement monitoring and reporting. This change provides assurance of objectivity and neutrality in the pursuit of the Department's quality assurance mission while concentrating BMCW management resources and attention to improved services for children. Effective May 24, 2009, three Program Evaluation Managers (PEMs) previously employed by the Bureau of Milwaukee Child Welfare transferred to the

Performance Review and Evaluation Section in the Office of Performance and Quality Assurance. The remaining BMCW PEMs continue to fulfill contract management and monitoring functions to improve services to children and families.

This report summarizes the progress made by the Bureau of Milwaukee Child Welfare on the items of the settlement agreement from January 1 through June 30, 2009.

Format of Progress Report

This is the first semi-annual report for 2009 and includes outcomes of the BMCW's performance from January 1 through June 30, 2009.

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 Children and Families (formerly the Department of Health and Family Services) and plaintiffs' counsel Children's Rights.

Provisions that are no longer operative 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; thus 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. A Memorandum of Understanding (MOU) was executed by BMCW and District Attorney's office on July 28, 2003. (Released – June 6, 2006)

§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. . . . (Released - April, 2009)

§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 an 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.5 The use of shelter placements shall be phased out entirely (Released – December 2008)

§I.D.6 By December 31, 2003, and thereafter, no child shall be placed in a shelter (Released – December 2008)

§I.D.8 The Division of Health 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 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. In previous reports this information was identified as “monitoring items.”

As of December 31, 2005, BMCW concluded 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 monitoring section terminated on December 31, 2005. OPQA is continuing to voluntarily 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. BMCW and OPQA continue 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. This has also been done to some of the historical values (previous reporting periods). If the reader identifies slight differences in reporting due to rounding, please refer to the original period document for the exact numbers or calculations.

BMCW Demographic and Descriptive Data

Table 1.00: Number of families with children in out-of-home care at end of period December, 2003, to June, 2009

	Dec 31, 2003	Dec 31, 2004	Dec 31, 2005	Dec 31, 2006	Dec 31, 2007	Dec 31, 2008	Jun 30, 2009
Number of families receiving Ongoing Case Management program services	2,081	1,948	1,899	1,777	1,863	1,892	1,785
Number of children in out-of-home care placements	3,489	3,151	2,825	2,621	2,907	2,638	2,329

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

Table 1.01: Children who achieved permanency or exited care CY 2003 through June 2009

Permanency achieved through (number of children):	CY 2003	CY 2004	CY 2005	CY 2006	CY 2007	CY 2008	CY 2009 YTD
Reunification	864	704	677	712	671	845	458
Adoption	585	560	373	317	291	258	150
Transfer of guardianship	333	198	231	169	95	94	56
Subsidized guardianship	NA	NA	101	51	10	10	8
Age of majority reached	175	131	151	180	153	172	85
TOTAL	1,957	1,593	1,533	1,429	1,220	1,379	757

Table 1.02: Age of children at time of removal CY 2003 through June, 2009

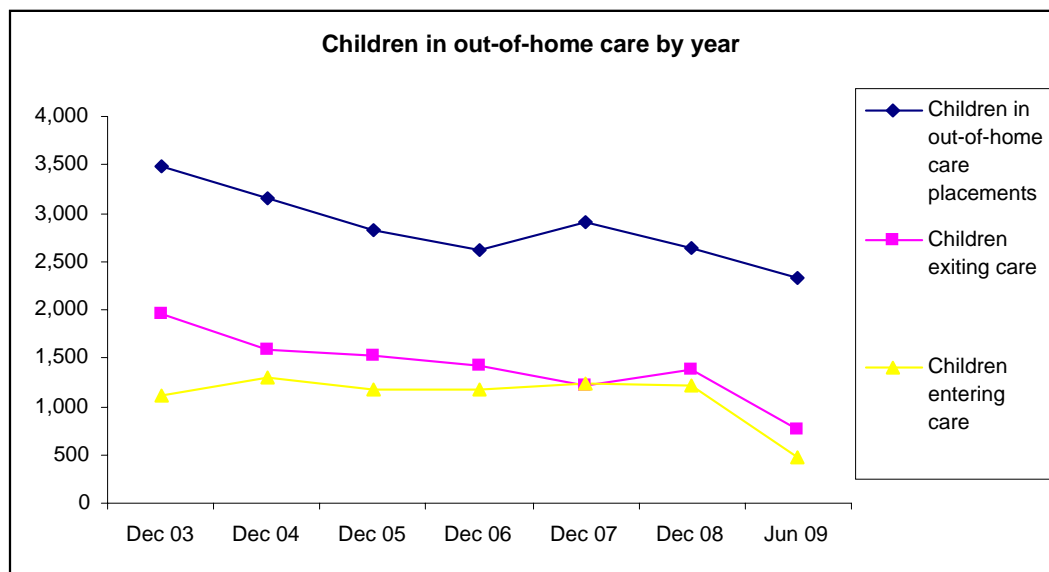
Age at removal (years)	CY 2003	CY 2004	CY 2005	CY 2006	CY 2007	CY 2008	CY 2009 YTD
Birth to 4	44%	40%	41%	53%	47%	45%	46% (222)
5 to 11	32%	32%	29%	26%	30%	29%	27% (132)
12 to 15	17%	20%	20%	10%	15%	18%	18% (88)
16+	7%	8%	10%	11%	8%	8%	9% (41)
Total number of children removed	1,123	1,308	1,179	1,180	1,236	1,225	483

Table 1.03 below provides the number of families whose children entered out-of-home care, showing the number of families with three or more children.

Table 1.03: 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 CY 2008	Number of families CY 2009 YTD
< 3 children per family	411	435	422	420	436	428	238
3	55	76	80	63	65	70	30
4	21	32	37	36	37	50	16
5	8	16	19	15	9	15	9
6	9	15	4	3	5	4	3
7	2	4	1	4	2	3	0
8	0	1	2	5	1	1	0
9	2	5	1	1	0	0	0
10	0	0	0	0	0	1	0
11	0	0	0	1	0	0	0
12	0	0	0	0	0	1	0
Total families whose children entered out-of-home care	508	584	566	548	555	573	296
Families with three or more children whose children entered out-of-home care	97	149	144	128	119	145	58

Chart 1.04: Number of children in out-of-home care at end of period, entries and exits



Section 1: Remaining enforceable provisions

This section includes outcomes of BMCW from January through June, 2009, for the remaining enforceable provisions.

§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 2009, 56% 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 did not meet this performance standard for the first six-month period of CY 2009.***

§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 to be licensed. . . .

During the first six months of CY 2009, BMCW ***achieved 0.22%*** compared to the annual requirement 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.

§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.

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

The BMCW met the prescribed timelines for 75% (102) of the 136 placement episodes in an Assessment Center and ***exceeded the prescribed timelines for 25% (34) of the placement episodes.***

§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 2009, 78% 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 its partner agencies) did not meet the performance standard for the first six-month period in 2009.***

BMCW performance January through June, 2009, on the remaining enforceable items – At a Glance

§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 2009 - BMCW did not meet this requirement in the first six-month period of CY 2009.		Past Performance								
Performance Standard	YTD 2009 Result	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	CY 2008 Result
>= 71%	56%	Monitor Only	45%	>= 65%	63%	>= 71%	72%	71%	69%	64%

§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 2009 – This is an annual measure		Past Performance								
Performance Standard	YTD 2009 Result	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	CY 2008 Result
<= 0.60%	0.22%	<= 0.70%	0.57%	<= 0.65%	0.79%	<= 0.60%	0.81%	0.15%	0.93%	0.39%

§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 2009, 34 (25%) 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 2009 - BMCW did not meet this requirement in the first six-month period of CY 2009.		Past Performance								
Performance Standard	YTD 2009 Result	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	CY 2008 Result
>= 90%	78%	>= 80%	76%	>= 82%	72%	>= 90%	72%	73%	75%	77%

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)
January through June, 2009: 56%

During the first six months of 2009, 458 children were reunified with their parent(s) or primary caretaker. This is a 17% increase in the total number of children who achieved permanency through reunification when compared to the 391 children first six months of 2008.

Table 1.10: Reunifications January through June, 2009

	Jan	Feb	Mar	Apr	May	Jun	Semi-Annual Performance
Region 1 - CFCP							
Reunifications (N=154)	26	33	14	36	19	26	154
Number of children reunified within 12 or fewer months	17	15	8	21	11	14	86
Percentage reunified in 12 or fewer months	65.4%	45.5%	57.1%	58.3%	57.9%	53.8%	55.8%
Region 2 - CFCP							
Reunifications (N=156)	24	21	19	33	31	28	156
Number of children reunified within 12 or fewer months	15	16	10	21	20	15	97
Percentage reunified in 12 or fewer months	62.5%	76.2%	52.6%	63.6%	64.5%	53.6%	62.2%
Region 3 - IFS							
Reunifications (N=148)	35	17	17	24	15	40	148
Number of children reunified within 12 or fewer months	19	10	9	10	7	20	75
Percentage reunified in 12 or fewer months	54.3%	58.8%	52.9%	41.7%	46.7%	50.0%	50.7%
BMCW – Total of all three regions							
BMCW Reunifications (N=458)	85	71	50	93	65	94	458
Number of children reunified within 12 or fewer months	51	41	27	52	38	49	258
Percentage reunified in 12 or fewer months	60.0%	57.7%	54.0%	55.9%	58.5%	52.1%	56.3%

Between January and June 2009, 56% (258 of 458) of the children 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 2009.

Table 1.11: Reunification- Semi-annual and annual performance CY 2003 through June 2009

	January - June	July - December	Annual Performance
BMCW 2009 YTD	56%	NA	56% (YTD)
BMCW CY 2008	66%	61%	64%
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. CY 2004 was the first year when there was an enforceable performance standard (65%).

Discussion

Performance for the first six months of CY 2009 (56%) was below the expectation that at least 71% of the children reunified during the period are reunified within 12 months of entering out-of-home care. Annual performance has declined since CY 2005. Even though the percentage of children reunified within 12 months of entry into care has dropped, the total number of children reunified with their families in CY 2008 and CY 2009 YTD has increased.

For example, Table 1.12 emphasizes the change in the number of children reunified and the number reunified in 12 or fewer months of entering out-of-home care.

Table 1.12: Annual number of reunifications

	CY 2007	CY 2008	CY 2007 Jan - Jun	CY 2008 Jan - Jun	CY 2009 Jan - Jun
Reunifications (N)	671	845	334	391	458
Number increase period to period		174		57	67
Percentage increase between periods		26%		17%	17%
Number within 12 months	462	538	213	260	258
Number between 12 and 24	127	161			99
Number over 24	82	146			101

NOTE: The table provides comparisons by six-month intervals and annually, where possible.

- The total number of children reunified in CY 2008 increased by 26% (or 174 children) compared to the total number of children reunified during CY 2007.
- Annual performance dropped between CY 2007 and CY 2008 (69% to 64%).
- The number of children in CY 2008 who achieved timely reunification actually increased by 17% (76 children) compared to CY 2007.
- Contributing to the change in performance between CY 07-08 was the increased number of children who were reunified in 12 or more months of entering care. During CY 2007, 209 children were reunified after being in care 12 or more months and in CY 2008 this increased to 307 children, a 47% increase (98 children).

Between CYs 07-08 the total number of reunifications increased. Within the increased number of children reunified, was an increase (47%) in the number of children who were reunified after 12 or more months in care.

In the first six months of CY 2009, the data show a continuation of the trend (67 more children) when compared to the first six months of CY 2008. The number of children reunified who were in care over 12 months increased, by 53% (200 children in 2009 and 131 children in 2008).

In the first six months of CY 2007, 334 children were reunified. For the same period in CY 2008, 391 children were reunified, a difference of 57 children or a 17% increase. In the same period of CY 2009, 458 children realized permanency through reunification, demonstrating another 17% increase (67 children). Between each six month period the number of children reunified increased, yet the percentage reunified within 12 months decreased. A larger number of children reached permanence through reunification, but a lower percentage was reunified more quickly.

Region 3 showed the largest drop in performance between the three regions in the first six months of CY 2009 compared to CY 2008. Performance dropped from 72% in CY 2008 to 51% in the first six months of CY 2009. The overall number of children reunified increased by 14 children, however, the number of children reunified who were in care for 12 or more months increased from 25 children in the first six months of CY 2008, up to 73 children in 2009 YTD. While a larger number of children achieved permanence through reunification at Region 3, more children were reunified who had been in care for longer periods of time.

Are there differences among age groups and the time to reunification? Table 1.13 provides information regarding children who were reunified with their families since CY 2007. The data are broken out by the time to reunification and the percentage of children by age group within each category.

Table 1.13: Time to reunification by age at entry into out-of-home care

	CY 2007	CY 2008	2009 YTD
Reunified in 12 or fewer months, age when entered out-of-home care:			
Birth to 4 years old	47%	43%	39%
5 to 11 years old	27%	34%	34%
12 to 15 years old	21%	16%	20%
16 plus years old	5%	7%	7%
Reunified between 12 and 24 months, age when entered out-of-home care:			
Birth to 4 years old	38%	49%	39%
5 to 11 years old	36%	37%	38%
12 to 15 years old	24%	13%	14%
16 plus years old	2%	1%	8%
Reunified in 24 or more months, age when entered out-of-home care:			
Birth to 4 years old	38%	33%	35%
5 to 11 years old	45%	43%	47%
12 to 15 years old	17%	23%	18%

Children who enter out-of-home care and are between the ages of 5 and 11 years old appear to take longer to achieve permanence through reunification. This group of children accounted for, on average, 45% of the children reunified in 24 or more months of entering care. Further analysis may be of benefit to uncover why children (and families with children in this age group) appear likely to reunify, but not as quickly as children in other age groups.

Table 1.14 below shows the mean and median time (in days) to reunification over the past 4.5 years; further, it shows reunifications which occurred within 12 months of entering out-of-home care and reunifications which occurred after 24 or more months in care.

Table 1.14: Mean and median time to reunification

All reunifications – total length of episode (days)	CY 2005	CY 2006	CY 2007	CY 2008	2009 YTD
Mean	511.8	503.4	428.7	432.7	453.8
Median	229	201	195	254	303
Reunifications w/i 12 months of entering care – total length of episode (days)					
Mean	114.1	103.8	99.9	123.6	124.9
Median	71	65	54	101	122
Reunifications over 24 months of entering care – total length of episode (days)					
Mean	1,825.7	1,856.1	1,747.9	1,309.8	1,220.3
Median	1,452	1,211	1,121	1,033	1,073

- For all reunifications between CY 2005 and CY 2007, the data show the average and median length of episodes in out-of-home care gradually decreased (511/229 days down to 428/195 days).
- In subsequent years, CY 2008 and CY 2009 YTD, the average and mean length of episode (in days) increased (up to 453/303 days). This trend appears to be influenced by the higher number of children reunified who were in care 12 or more months.
- Specific to children reunified in 12 or fewer months, a similar trend is observed between CY 2007 and CY 2009 YTD. As described above for all children reunified, the movement of the average and median time to reunification may be influenced by the larger number of children who were reunified who were in care over 12 months. However, for only those children reunified within 12 months, the average length of stay increased by 25 days (99.9 to 124.9 days) and the median length of stay more than doubled (54 to 122 days). The average and median length of stay for children within this group would not be affected by the children who achieved reunification who were in care 12 or more months.
- This suggests that the time to reunification, even for children who reunify within 12 or fewer months, is taking longer on average than in previous years.
- Additional analysis may be of benefit to uncover why the median length of stay increased by over 60 days for children who reunified in 12 or fewer months (54 days in CY 2007 and 122 days in CY 2009 YTD).

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: At or below 0.60% for the year
January through June, 2009: 0.22% (7 children)**

Table 1.20: Maltreatment while in out-of-home care January through June 2009

	Jan	Feb	Mar	Apr	May	Jun	Semi Annual Performance
Substantiated Allegations (children maltreated by foster parent or agency staff)	1	3	0	3	0	0	7
Number of children entering care	53	106	83	83	75	83	483
Cumulative children in OHC (2,638 as of 01/01/2009)	2,691	2,797	2,880	2,963	3,038	3,121	
BMCW YTD performance							0.22%

NOTE: The data provided for CY 2009 does not include one child who was initially identified with a substantiated allegation of maltreatment by a treatment foster parent. The substantiation of maltreatment against the provider was overturned 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, 2009, (2,638) and adding the children who entered out-of-home care (483). This total (3,121) represents all children in out-of-home care during the period. To calculate the performance standard, the number of children with a substantiated allegation of maltreatment by a foster parent or staff of a licensed facility (7) is divided by the total of all children who were in an out-of-home care placement (3,121).

Children residing in a Court-Ordered Kinship placement

Under a recently revised federal Child and Family Services Review measure, the Bureau includes children who are maltreated in foster care and those placed with a court-ordered kinship provider for purposes of federal reporting.

During the first six months of 2009, five children were the victims of maltreatment where the maltreater was a court-ordered kinship provider. None of the five children are currently placed with the identified maltreater/provider.

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 generally pertain to children 17 years of age or less. Child maltreatment is generally divided into four basic types: physical neglect, physical abuse, sexual abuse and emotional abuse.

Physical neglect is defined 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.” Wis. Stat. §. 48.981(1)(d).

Physical abuse is defined as “physical injury inflicted on a child by other than accidental means.” Wis. Stat. §. 48.02(1)(a). 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 § 939.22(14).” Wis.Stat. § 48.02(14g).

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.” Wis. Stat. § 48.02(1)(gm).

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.

During the first six months of CY 2009, seven children were victims of maltreatment by their licensed caregiver while in an out-of-home care placement.

Substantiated maltreatment and licensing status

Five licensed providers were found to be maltreators of seven children:

- Four Foster Homes – Six children; and
- One Group Home – One child.

All foster children have been removed from these homes. The licenses of the four homes have been revoked. One foster parent has appealed that revocation.

Of the seven child victims of substantiated maltreatment, one was under the age of four, and three were between the ages of 5 to 11 years old.

Table 1.21 below shows the types of substantiated maltreatment that occurred and the relationship of the maltreater.

Table 1.21: Substantiated maltreatment January through June, 2009

Relationship to Victim	Neglect - General Lack of Care	Physical Abuse	Lack of Supervision	Sexual Abuse	Emotional Damage	Medical Neglect	Total
Foster Parent	2	2	0	0	2	0	6
Treatment Foster Parent	0	0	0	0	0	0	0
Staff at child caring institution or other licensed facility	0	0	0	1	0	0	1
Relative/Court-Ordered Care Provider	0	4	0	0	0	1	5
Total	2	6	0	1	2	1	12

Development of special diagnostic assessment centers

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.

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

In the first six months of 2009, there were 96 adolescents who were placed in an Assessment Center.

- The 96 adolescents accounted for 136 placement episodes; and
- Of the 136 placement episodes, 75% (102) were within the prescribed timelines and 25% (34) went beyond timelines.

Overall, 74% of the adolescents (71) were placed in an Assessment Center once. There were 25 adolescents with multiple placement episodes in an Assessment Center during the period.

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)

January through June 2009: 78%

The BMCW *did not meet the expected performance standard* of 90% or above for the first six-month period in CY 2009. On average, 78% of the children in out-of-home care had three or fewer placements.

Table 1.30 below summarizes the first six-month performance for 2009.

Table 1.30: Placement stability: performance, January through June, 2009

CY 2009	Region 1	Region 2	Region 3	Total BMCW	2009 YTD
Jan	77.6%	76.3%	81.8%	78.4%	78.4%
Feb	77.4%	76.5%	81.2%	78.2%	78.3%
Mar	77.3%	76.9%	80.5%	78.1%	78.2%
Apr	77.4%	75.8%	80.2%	77.6%	78.1%
May	77.1%	76.3%	80.4%	77.8%	78.0%
Jun	77.8%	77.6%	80.4%	78.5%	78.1%

Table 1.31 below shows the semi-annual and annual performance from CY 2003 through June 2009.

Table 1.31: Placement stability: performance, CY 2003 through June, 2009

	January - June	July - December	Annual Performance
BMCW 2009 YTD	78%	NA	78% (YTD)
BMCW CY 2008	76%	78%	77%
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

During first six months of 2009, on average 78% of the children in an out-of-home care placement experienced three or fewer placements. Although this remains below

the expected performance standard, current performance continues to demonstrate improvement.

- Nearly 71% (332 children) who were in their fourth or greater placement have also been in out-of-home care for 24 or more months.
- 118 of the children (25%) with four or more placements have resided in their current placement for 12 or more months.

Of the children with four or more placements, 54 of the children were in care 12 or fewer months. These 54 children account for 12% of the children with four or more placements and represent 2% of all children in an out-of-home care placement.

In the first six months of 2009, approximately 141 children entered their fourth placement:

- Children who reached their fourth placement in the first six months of 2009, had, on average, a mean of 22 months and a median of 17 months in care when they reached their fourth placement. Compared to children in care who experienced their fourth placement prior to January 1, 2009, the average time to reach their fourth placement was 3.5 (25.5 months) months lower.
- The data appear to suggest that children entering their fourth placement during the first six months of 2009 reached their fourth placement, on average, earlier than children who previously entered their fourth placement prior to January 1, 2009.
- Of the children who entered their fourth placement during this period, 63% either stayed in their fourth placement or exited from care after reaching their fourth placement. Nearly 23% of these children moved into a fifth placement, and 14% moved beyond a fifth placement. The data imply, for 37% of the children who entered their fourth placement, that selected children continued to change placements in a short period of time.

Section 2: Provisions no longer subject to enforcement

Previously released provisions – 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								
2009 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	CY 2008 Result
85%	>= 65%	77%	>=75%	88%	>= 90%	29%	79%	85%	90%

* 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.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								
2009 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	CY 2008 Result
54%	>= 75%	88%	>= 85%	93%	>= 90%	93%	89%	90%	95%

§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								
2009 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	CY 2008 Result
17%	<=40%	44%	<=35%	30%	<=25%	23%	18%	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								
2009 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	CY 2008 Result
39%	>= 20%	14%	>= 25%	16%	>= 30%	22%	32%	34%	38%

§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							
2009 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	CY 2008 Result
98%	>=80%	99%	>=85%	99%	>=90%	99%	97%	98%	95%

§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							
2009 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	CY 2008 Result
100%	>=80%	99%	>=85%	99%	>=90%	99%	96%	98%	100%

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

Current Performance		Past Performance							
CY 2009 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	CY 2008 Result
100%	>= 80%	98%	>= 85%	98%	>= 90%	99%	98%	96%	99.6%

§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 ...

Current Performance		Past Performance							
2009 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	CY 2008 Result
12	<= 13	9.6	<= 11	10	<= 11	10	10	12	11

§I.D.3 By January 1, 2003 ... meets 90% compliance with monthly face-to-face contact

Current Performance		Past Performance							
2009 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	CY 2008 Result
94%	>= 90%	90%	>= 90%	97%	>= 90%	97%	97%	96%	92%

Information regarding the released provisions

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

January through June, 2009: 85%

Table 2.00: Number and percent of children in ASFA compliance January through June, 2009

Month	Number of children with available exception or TPR (N =313)	Number of children reaching 15 of 22 months in OHC (N = 367)	Monthly Performance %	Cumulative Performance %
January	53	64	83%	83%
February	48	62	77%	80%
March	54	68	79%	80%
April	41	47	87%	81%
May	50	54	93%	83%
June	67	72	93%	85%

Discussion

The data in Table 2.00 show that 313 of the 367 children subject to ASFA requirements had documentation supporting timely ASFA compliance. Fifty-four children did not have documentation to support timely compliance with the ASFA requirements.

“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 78* 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 calendar year.

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

January through June, 2009: 54%

Table 2.10: Belated ASFA compliance January through June, 2009

Children who subsequently achieved “belated” compliance with ASFA	(N)	2009 YTD (Cumulative Percentage)
42	78	54%

During the first six months of CY 2009, 54% of the children who were not in timely compliance with ASFA, belatedly moved into compliance.

Length-of-stay

The goal of this measure was to reduce the number of children in out-of-home care for more than 24 months. The original measure was calculated against a baseline of 5,533 children, and BMCW met that target.

Discussion

The following table shows the actual percentage of children in out-of-home care 24 or more months (not measured against the baseline) by twelve-month periods.

Table 2.20: Actual percentage of children in an out-of-home care placement for at least 24 months

	Jan 03	Jun 03	Dec 03	Dec 04	Dec 05	Dec 06	Dec 07	Dec 08	Jun 09
Children LOS greater than 24 months	2,810	2,413	1,967	1,534	1,073	948	977	969	917
Actual number of children in an OHC placement	4,472	3,981	3,489	3,151	2,825	2,521	2,907	2,638	2,329
Percent of children in an OHC placement 24 months or more	62.8%	60.6%	56.4%	48.7%	38.0%	37.6%	33.6%	36.7%	39.4%

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).

OHC: Out-of-home care

The total number of children in out-of-home care and the number of children in care 24 or more months has decreased since December, 2007.

The data in Table 2.21 show the percentage of children in care 24 or more months by age group. Between December, 2005, and December, 2008, the most notable increases were for children between the ages of 2 and 11. After three years of a steady increase, the percentage of children in the age group 2 to 11 years old appears to have leveled off.

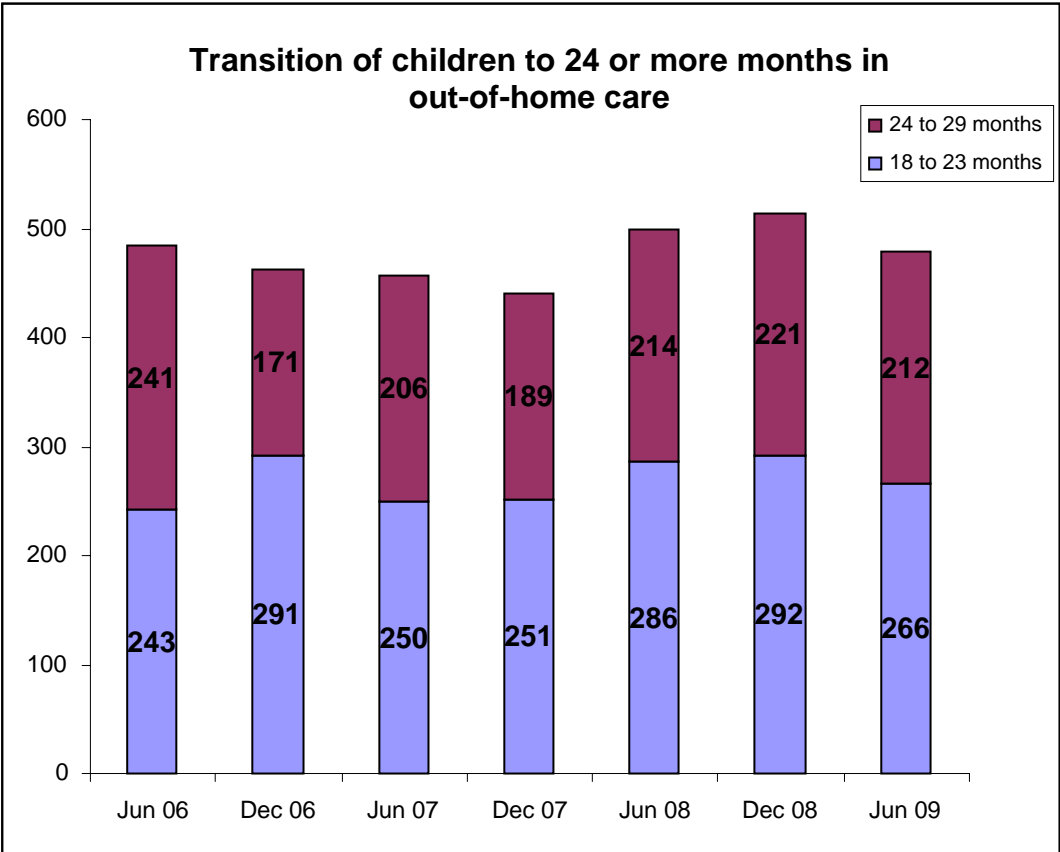
Table 2.21: Percent of children in care 24 months or more by age group

Age at Period End	Dec 05 N = 1,076	Dec 06 N = 948	Dec 07 N = 977	Dec 08 N = 969	Jun 09 N=917
2 to 4 yrs.	5%	8%	11%	15%	15%
5 to 11 yrs.	26%	28%	29%	33%	34%
12 to 15 yrs.	36%	34%	28%	23%	23%
16 + yrs.	33%	31%	32%	30%	29%

The percentage of children between the ages of 5 and 11 (historically the second largest percentage of children who entered out-of-home-care) grew to become the largest percentage of children in out-of-home care 24 or more months. This is further defined by the percentage of children reunified after 24 months in care. Children within this age group also make up the largest percentage of children reunified in 24 or more months.

The following chart presents a look at the trend of children in out-of-home care for 18 to 23 months and 24 to 29 months over the past 3.5 years.

Chart 2.22: Number of children in care 18 to 23 months and 24 to 29 months



The number of children in out-of-home care 24 months or more leveled off in CYs 2007 and 2008 after years of a steady decline (Table 2.20).

Chart 2.22 illustrates point-in-time numbers for children who were in care between 18 and 23 months and 24 to 29 months.

- Between June, 2006, and December, 2007, the combined number of children for both categories was declining. Generally, as the percentage of children in out-of-home care 24 or more months was decreasing, the total children in care between 18-29 months were similarly decreasing.
- Between December, 2007, and June, 2008, the number of children in care 18 to 23 months increased from 251 children up to 286 children (gain of 35 children); children in care within the 24 to 29 months category also increased by 25 children.
- In December, 2008, both time-in-care categories again demonstrated slight increases. More children in out-of-home care were moving into the 18 to 23 months category, and more children were graduating from the 18 to 23 month group into the 24 month or more category.
- It seems that this trend has shifted. By June, 2009, the number of children in out-of-home care decreased in both categories. Children in out-of-home care 18 to 23 months decreased by 26 children, and children in care between 24 to 29 months decreased by 9 children.

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. . . .

January through June, 2009: 39%

Table 2.30: Adoptions January through June, 2009

Time to Adoption	Jan	Feb	Mar	Apr	May	Jun	2009 YTD
Within 24 months (Monthly percentage)	8 38%	13 42%	10 37%	6 25%	11 58%	10 36%	58 39%
More than 24 months (Monthly percentage)	13 62%	18 58%	17 63%	18 75%	8 42%	18 64%	92 61%
Total number of finalized adoptions	21	31	27	24	19	28	150

Discussion

Table 2.31 below shows general descriptive information regarding the children adopted during the first six months of CY 2009.

Table 2.31: Length-of-stay in out-of-home care for children adopted, January through June, 2009

		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=150)		58	38	26	12	16
Gender	M (77)	27	16	15	5	6
	F (73)	31	22	11	7	10
Age	Birth to 5	50	28	7	0	0
	6 to 11	7	6	15	9	6
	12 to 15	1	4	3	3	8
	16+	0	0	1	0	2

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. . . .

January through June, 2009: 98%

Table 2.40: Reports from Access to independent investigation within three days, January through June, 2009

	Jan	Feb	Mar	Apr	May	Jun	2009 YTD
Number of reports requiring Independent Investigations during period	35	19	21	14	18	12	119
Number of reports referred to Independent Investigation agency within three business days	33	19	21	14	18	12	117
Percentage of reports referred to Independent Investigations within three days	94%	100%	100%	100%	100%	100%	98%

Between January and June 2009, there were 119 reports requiring an independent investigation. Of that total, 117 (98%) were referred by the BMCW Access unit 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. . .

January through June, 2009: 100%

Table 2.50: Assignment to independent investigator within three days, January through June 2009

	Jan	Feb	Mar	Apr	May	Jun	2009 YTD
Number of referrals to independent investigations agency	35	19	21	14	18	12	119
Number assigned within three business days	35	19	21	14	18	12	119
Percentage of referrals assigned to investigator within three days	100%	100%	100%	100%	100%	100%	100%

Between January and June, 2009, 100% of all reports (119) were assigned to an independent investigator within three business days.

Timeliness of the independent investigation agency completing the 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. . .

January through June, 2009: 100%

Table 2.60: Timeliness in completing independent investigations, January through June, 2009

	Jan	Feb	Mar	Apr	May	Jun	2009 YTD
Total number of determinations completed for the period	19	16	33	22	18	18	126
Number of determinations completed within 60 business days during the period	19	16	33	22	18	18	126
Percentage of investigations completed within 60 days	100%	100%	100%	100%	100%	100%	100%

Of the 126 independent investigations completed during the first six months of CY 2009, all 126 (100%) 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 *Region's* current monthly caseload average with the corresponding *Region 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 they carry are included in the overall three-month rolling average calculation, therefore causing an artificial increase in the stated average.

Table 2.70: Average caseload per Ongoing Case Manager by region, January through June, 2009

	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Jun 09
Region 1								
Open Cases			570	573	594	598	602	668
Active OCMs EOM			51	45	44	43	46	47
Monthly Average	10.3	10.3	11.2	12.7	13.5	13.9	13.1	14.2
Performance			10.6	11.4	12.5	13.4	13.5	13.7
Region 2								
Open Cases			676	679	645	637	643	568
Active OCMs EOM			50	44	48	48	47	44
Monthly Average	12.1	12.5	13.5	15.4	13.4	13.3	13.7	12.9
Performance			12.7	13.8	14.1	14.0	13.5	13.3
Region 3								
Open Cases			628	613	592	579	574	549
Active OCMs EOM			46	52	53	54	57	54
Monthly Average	11.6	11.6	13.7	11.8	11.2	10.7	10.1	10.2
Performance			12.3	12.3	12.2	11.2	10.7	10.3
BMCW								
Open Cases			1,874	1,865	1,831	1,814	1,819	1,785
Active OCMs EOM			147	141	145	145	150	145
Monthly Average	11.3	11.5	12.7	13.2	12.6	12.5	12.1	12.3
Performance			11.8	12.5	12.9	12.8	12.4	12.3

In the first six-month period of CY 2009, while Region 3 Ongoing Services transitioned from La Causa to IFS, family cases entering Ongoing Services were diverted from Region 3 to both Region 1 and Region 2, which may have increased the caseload size at both of those regions. It would be expected, with the transition complete and the hiring of more Ongoing Case Managers, the average caseload size should decrease to the goal of 11 cases per Ongoing Case Manager.

Face-to-face contact

I.D.3 By January 1, 2003 ... meet 90% compliance with monthly face-to-face visits of children in BMCW custody by their case manager.

January through June, 2009: 94%

Table 2.80: Face-to-face contact by Ongoing Case Managers by region, January through June, 2009

During the first six months of CY 2009, on average, ongoing case managers met with 94% of all children monthly.

Month 2009	Region 1 (CFCP)	Region 2 (CFCP)	Region 3 (IFS)
January	98%	94%	92%
February	96%	93%	91%
March	96%	95%	94%
April	95%	95%	93%
May	95%	94%	93%
June	95%	94%	93%

Section 3: Process indicators and outcomes

Process indicators - At a Glance

January through June, 2009

Informational Purposes Only (some figures were rounded up)

Process Indicators and Outcomes	CY 2003	CY 2004	CY 2005	CY 2006	CY 2007	CY 2008	2009 YTD
Family assessments completed within 90 days	96%	97%	95%	95%	88%	66%	93%
Initial health screens – within five business days	58%	76%	67%	75%	61%	62%	62%
Placement packets to foster parents	91%	85%	97%	73%	86%	88%	84%
Annual medical exam	75%	74%	73%	85%	78%	80%	91%
Annual dental exam	57%	65%	64%	78%	67%	68%	84%
Initial Permanency Plans within 60 days	97%	97%	98%	95%	90%	82%	81%
Annual and administrative Permanency Plan reviews	77%	77%	92%	91%	92%	85%	79%
Re-entry within 12 months of a prior out-of-home care episode	9%	7%	7%	10%	11%	8%	10%
BMCW turnover	30%	39%	33%	26%	34%	35%	15%
Children per caseload (CY 2009 six-month average)	19.5	18.5	17.0	18.4	21.9	20.9	20.9

Information regarding process indicators and outcomes

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

Timeliness of completing initial family assessments

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

Table 3.00: Timeliness of initial family assessments, January through June, 2009

	Jan	Feb	Mar	Apr	May	Jun	Semi - Annual Total
Region 1 (CFCP)							
Family assessments due (N)	16	9	10	8	25	18	86
Family assessments completed within 90 days	14	9	9	8	25	18	83
Percentage	88%	100%	90%	100%	100%	100%	97%
Region 2 (CFCP)							
Family assessments due (N)	14	8	13	13	15	22	85
Family assessments completed within 90 days	12	6	10	13	15	22	78
Percentage	86%	75%	77%	100%	100%	100%	92%
Region 3 (IFS)							
Family assessments due (N)	21	12	5	9	6	5	58
Family assessments completed within 90 days	20	11	4	8	6	4	53
Percentage	95%	92%	80%	89%	100%	80%	91%
BMCW							
New families entering Ongoing Case Management services (N)	51	29	28	30	46	45	229
Family assessments completed within 90 days	46	26	23	29	46	44	214
BMCW percentage	90%	90%	82%	97%	100%	98%	93%

During the first six months of 2009, 93% (214 of 229) of the family assessments were completed within 90 days, which is a significant level of improvement compared to CY 2008 when 66% of the family assessments were completed timely.

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.

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

Table 3.10: Initial health screens completed within five days of entering care January through June, 2009

Region 1	Jan	Feb	Mar	April	May	Jun	Semi - Annual Performance
Health screens within five business days	16	15	12	14	15	21	93
Total children	25	30	17	18	23	34	147
Monthly performance	64.0%	50.0%	70.6%	77.8%	65.2%	61.8%	63.3%
Region 2							
Health screens within five business days	8	14	14	8	15	15	74
Total children	15	24	26	18	30	23	136
Monthly performance	53.3%	58.3%	53.8%	44.4%	50.0%	65.2%	54.4%
Region 3							
Health screens within five business days	10	26	17	20	27	24	124
Total children	16	41	23	30	44	29	183
Monthly performance	62.5%	63.4%	73.9%	66.7%	61.4%	82.8%	67.8%
BMCW							
Health screens within five business days	34	55	43	42	57	60	291
Total children	56	95	66	66	97	86	466
Monthly performance	60.7%	57.9%	65.2%	63.6%	58.8%	69.8%	62.4%

Discussion

Overall performance during the first six-month period of 2009 showed no change from performance in CY 2008.

In addition to tracking the number of children who receive initial health screen examinations within five business days of their first placement, OPQA also tracks all children in their first placements to verify if and when they have exams. The information below in Table 3.11 details the number of children who had an initial health screen beyond five business days.

Table 3.11: Initial health screens completed within 7, 14 and 30 days of entering care

Initial health screen	Jan to Jun 2008 (N=499)	Jul to Dec 2008 (N=530)	CY 2008 (N=1,029)	Jan to Jun 2009 (N=466)
Within seven days of first placement (cumulative total)	384	430	814	352
	77%	81%	79%	76%
Within 14 days of first placement (cumulative total)	432	470	902	375
	87%	89%	88%	80%
Within 30 days of first placement (cumulative total)	455	487	942	393
	91%	92%	92%	84%

- 73 (16%) of the 466 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.

As the data in Table 3.11 indicate, performance across all timeline domains decreased when compared to the annual performance for CY 2008.

Placement packet information

To provide exceptional care, foster parents need up-to-date health and educational information regarding the children in their homes. The OPQA monitors each partner agency to ensure 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 2009, a random sample of 17 children per region (a total of 51 children) was drawn where a child's placement began on or after January 1, 2009. 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 3.20: Placement packets completed among sample group

	January through June 2009	
	Jan to June completed	Jan to June Result - BMCW
BMCW Region		
Region 1 (CFCP) (N=17)	16	94%
Region 2 (CFCP) (N=17)	16	94%
Region 3 (IFS) (N=17)	11	65%
BMCW percent completed placement packets (N=51)	43	84%

In the first six months of 2009, 84% of the caregivers in the sample received and signed for a copy of the Information for Foster Parents Face Sheet and Checklist compared to the 88% observed in CY 2008.

Children with updated annual physical and dental examinations

Medical and dental health care are an integral part of a child's care. 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 3.30: Annual medical exams, January through June, 2009

Region 1 (CFCP)	Jan	Feb	Mar	Apr	May	Jun
Number of children (N)	848	831	859	856	857	949
Number children with up-to-date annual medical exams	807	791	821	818	805	866
Monthly percent of children up-to-date with annual medical exam	95.2%	95.2%	95.6%	95.6%	93.9%	91.3%
YTD medical exam performance percent	95.2%	95.2%	95.3%	95.4%	95.1%	94.4%
Region 2 (CFCP)	Jan	Feb	Mar	Apr	May	Jun
Number of children (N)	1,044	1,038	1,002	969	927	810
Number children with up-to-date annual medical exams	974	961	916	885	841	709
Monthly percent of children up-to-date with annual medical exam	93.3%	92.6%	91.4%	91.3%	90.7%	87.5%
YTD medical exam performance percent	93.3%	92.9%	92.4%	92.2%	91.9%	91.3%
Region 3 (IFS)	Jan	Feb	Mar	Apr	May	Jun
Number of children (N)	880	840	801	775	734	708
Number children with up-to-date annual medical exams	760	736	700	663	612	579
Monthly percent of children up-to-date with annual medical exam	86.4%	87.6%	87.4%	85.5%	83.4%	81.8%
YTD medical exam performance percent	86.4%	87.0%	87.1%	86.7%	86.1%	85.5%
BMCW Total	Jan	Feb	Mar	Apr	May	Jun
Number of children (N)	2,772	2,709	2,662	2,600	2,518	2,467
Number children with up-to-date annual medical exams	2,541	2,488	2,437	2,366	2,258	2,154
Monthly percent of children up-to-date with annual medical exam	91.7%	91.8%	91.5%	91.0%	89.7%	87.3%
YTD medical exam performance percent	91.7%	91.8%	91.7%	91.5%	91.2%	90.6%

Table 3.31: Annual dental exams, January through June, 2009

Region 1 (CFCP)	Jan	Feb	Mar	Apr	May	Jun
Number of children (N)	693	671	691	696	688	770
Number children with up-to-date annual dental exams	627	612	622	620	595	661
Monthly percent of children up-to-date with annual dental exam	90.5%	91.2%	90.0%	89.1%	86.5%	85.8%
YTD dental exam performance percent	90.5%	90.8%	90.6%	90.2%	89.4%	88.8%
Region 2 (CFCP)	Jan	Feb	Mar	Apr	May	Jun
Number of children (N)	874	871	836	810	772	664
Number children with up-to-date annual dental exams	754	752	713	688	659	538
Monthly percent of children up-to-date with annual dental exam	86.3%	86.3%	85.3%	84.9%	85.4%	81.0%
YTD dental exam performance percent	86.3%	86.3%	86.0%	85.7%	85.7%	85.0%
Region 3 (IFS)	Jan	Feb	Mar	Apr	May	Jun
Number of children (N)	698	676	648	629	601	582
Number children with up-to-date annual dental exams	557	528	506	493	456	430
Monthly percent of children up-to-date with annual dental exam	79.8%	78.1%	78.1%	78.4%	75.9%	73.9%
YTD dental exam performance percent	79.8%	79.0%	78.7%	78.6%	78.1%	77.5%
BMCW Total	Jan	Feb	Mar	Apr	May	Jun
Number of children (N)	2,265	2,218	2,175	2,135	2,061	2,016
Number children with up-to-date annual dental exams	1,938	1,892	1,841	1,801	1,710	1,629
Monthly percent of children up-to-date with annual dental exam	85.6%	85.3%	84.6%	84.4%	83.0%	80.8%
YTD dental exam performance percent	85.6%	85.4%	85.2%	85.0%	84.6%	84.0%

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

Table 3.32 show annual performance data for children who were current with their annual physical and dental exams, as indicated in eWiSACWIS.

Table 3.32: Annual medical and dental exam performance CY 2003 through June, 2009

Medical

	CY 2003	CY 2004	CY 2005	CY 2006	CY 2007	CY 2008	2009 (YTD)
Region 1				87%	85%	84%	94%
Region 2				85%	79%	77%	91%
Region 3				82%	70%	81%	86%
BMCW	75%	74%	73%	85%	78%	80%	91%

Dental

	CY 2003	CY 2004	CY 2005	CY 2006	CY 2007	CY 2008	2009 (YTD)
Region 1				81%	76%	73%	89%
Region 2				77%	65%	65%	85%
Region 3				74%	61%	68%	78%
BMCW	57%	65%	64%	78%	67%	68%	84%

NOTE: Performance for CYs 2003 through 2005 is not broken out by region. BMCW adopted a three-region structure in CY 2006, blending together what were previously five sites.

As the data indicate for the first six months of 2009, the annual percentage of children with a current annual medical exam has increased to the highest level over the past 6.5 years (annual average CYs 03-08 was 78%). This was also observed for children who are current with their annual dental exam (annual average CYs 03-08 was 67%).

Timeliness of completing the initial permanency plan

The BMCW monitors whether an initial permanency plan is in place for all children within 60 days of a child entering BMCW custody in accordance with the federal standard.

Table 3.40: Timeliness of completing initial permanency plan January through June, 2009

Region 1 - CFCP	Jan	Feb	Mar	Apr	May	Jun	CY 2009 (YTD)
Number due during period (N)	17	13	13	42	18	14	117
Number completed on time	16	10	12	41	18	13	110
Percentage (point in time)	94%	77%	92%	98%	100%	93%	94%
Region 2 - CFCP	Jan	Feb	Mar	Apr	May	Jun	CY 2009 (YTD)
Number due during period (N)	28	9	13	18	26	16	110
Number completed on time	27	9	6	15	21	16	94
Percentage (point in time)	96%	100%	46%	83%	81%	100%	85%
Region 3 - IFS	Jan	Feb	Mar	Apr	May	Jun	CY 2009 (YTD)
Number due during period (N)	26	8	14	11	5	4	68
Number completed on time	11	3	10	9	2	1	36
Percentage (point in time)	42%	38%	71%	82%	40%	25%	53%
BMCW	Jan	Feb	Mar	Apr	May	Jun	CY 2009 (YTD)
Number due during period (N)	71	30	40	71	49	34	295
Number completed on time	54	22	28	65	41	30	240
Percentage (point in time)	76%	73%	70%	92%	84%	88%	81%

During the first six months of 2009, 81% (240 of 295) of the initial permanency plans were completed within 60 days. Performance at Region 3 dropped from 60% in CY 2008 to 53% in the first six months of 2009.

Timeliness of judicial or administrative permanency plan reviews

OPQA monitors the federal requirement that a judicial or administrative permanency plan review occurs every six months, and that at least one judicial permanency plan review occurs annually.

Table 3.50: Timeliness of judicial or administrative permanency plan reviews January through June, 2009

Permanency Plan Reviews	Jan	Feb	Mar	Apr	May	Jun	CY 2009 (YTD)
(N)	293	287	361	331	300	272	1,844
Current permanency plan reviews *	244	236	303	256	212	214	1,465
Percentage Completed	83%	82%	84%	77%	71%	79%	79%

* Includes permanency plans heard in court and permanency plans heard by a court commissioner

During the first six months of 2009, 79% of the scheduled permanency plan reviews were conducted in a timely manner. This is under the 85% performance for CY 2008.

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

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

Of the 483 children placed in out-of-home care between January and June, 2009, 86 children entered care after a prior episode in out-of-home care. Of the 86 children who re-entered care, 48 (56%) did so within 12 months of a prior foster care episode.

Table 3.60: Re-entry into out-of-home care January through June, 2009

2009 YTD	Number of children who entered OHC	Number of children who re-entered OHC within 12 months of a prior OHC episode	Percent of entries into OHC that were within 12 months of a prior OHC episode
Total	483	48	10%

During the first six months of 2009, the number of children who entered out-of-home care within 12 or fewer months of a prior foster care episode (48 children) was slightly higher (four children) than the number of children in the first six months of CY 2008 (44).

Table 3.61: Time to re-enter compared to time in care for previous episode

Length of previous episode	Time to Re-Enter			Grand Total
	3 or fewer months	4 to 6 months	7 to 12 months	
3 or fewer months	3	8	8	19
4 to 6 months	2	5	0	7
7 to 9 months	3	0	0	3
13 + months	10	6	3	19
Grand Total	18	19	11	48

Table 3.61 shows, for all children who entered out-of-home care within 12 months of a prior episode, the length of their previous episode and the time between their exit and return to out-of-home care.

- 54% (26) of the children who re-entered out-of-home care were previously in care six or fewer months prior to reaching permanence. These are similar to the results observed in CY 2008 (55%).
- 77% (37) of the children who re-entered out-of-home care entered within six months of their prior episode in care.

What are factors contributed to the child's entry into out-of-home care within 12 months of a prior out-of-home care episode?

The following factors are not mutually exclusive to each child's re-entry, but they were identified as a primary factor in re-entry:

- For 13 (27%) of the 48 children, untreated mental health and/or AODA issues of the parent contributed to the child's re-entry into out-of-home care;
- For 7 (15%) of the 48 children, the parents were unable to manage their child's behaviors which may have included AODA issues, mental health issues, delinquency type behaviors; and
- 6 of the 48 (13%) children were victims of domestic violence within the family setting.

Turnover within Ongoing Case Management programs

OPQA provides information about turnover within its Ongoing Case Management workforce using a variety of methods and calculations. To report turnover performance, OPQA continues to use the method described in the Settlement Agreement so performance can be compared consistently year-to-year.

Table 3.70: Ongoing Case Manager Employment January through June, 2009

Region 1 (CFCP)	Jan	Feb	Mar	Apr	May	Jun	YTD
OCM Start of Month	70	67	68	68	68	70	
OCM Hires During Month	0	4	3	3	3	14	27
OCM Separations During Month	3	3	3	3	1	0	13
OCM End Of Month	67	68	68	68	70	84	13.4%
Turnover % by Month	4%	4%	4%	4%	1%	0%	
Enrolled FT in IV-E Program	1	1	1	1	2	2	
Leave of Absence	0	0	0	0	0	0	
Vacancies (60)	0	0	0	0	0	0	
Region 2 (CFCP)	Jan	Feb	Mar	Apr	May	Jun	YTD
OCM Start of Month	56	51	49	50	49	51	
OCM Hires During Month	0	1	2	1	3	12	19
OCM Separations During Month	5	3	1	2	1	2	14
OCM End Of Month	51	49	50	49	51	61	18.7%
Turnover % by Month	9%	6%	2%	4%	2%	3%	
Enrolled FT in IV-E Program	1	1	1	1	1	1	
Leave of Absence	1	1	1	1	1	1	
Vacancies (60)	9	11	10	11	9	0	
CFCP Vacant Positions (120)	2	3	2	3	0	0	
Region 3 (IFS)	Jan	Feb	Mar	Apr	May	Jun	YTD
OCM Start of Month	65	64	61	62	62	62	
OCM Hires During Month	0	0	4	0	2	4	10
OCM Separations During Month	1	3	3	0	2	1	10
OCM End Of Month	64	61	62	62	62	65	13.3%
Turnover % by Month	2%	5%	5%	0%	3%	2%	
Enrolled FT in IV-E Program	3	3	3	3	3	3	
Leave of Absence	0	0	0	0	1	4	
Vacancies (65)	1	4	3	3	3	0	
BMCW	Jan	Feb	Mar	Apr	May	Jun	YTD
OCM Start of Month	191	182	178	180	179	183	
OCM Hires During Month	0	5	9	4	8	30	56
OCM Separations During Month	9	9	7	5	4	3	37
OCM End Of Month	182	178	180	179	183	210	15.0%
Turnover % by Month	5%	5%	4%	3%	2%	1%	
Enrolled FT in IV-E Program	4	4	4	4	5	6	
Leave of Absence	1	1	1	1	2	5	
Vacancies by Region (185)	10	15	13	14	12	0	

To calculate turnover: First identify the number of Ongoing Case Managers who separated employment for any reason. Divide the number of separations 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 2009, BMCW shows a 15% turnover rate (37 workers exited / (191 OCMs + 56 hires) = 15%).

Discussion

BMCW and their partner agencies recognize that its workforce is its most significant asset.

Table 3.71 shows turnover during the first six months of 2009. The upper section of Table 3.71 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 3.71 shows, by year, the same information except that it provides the annual totals and performance calculation.

Table 3.71: Ongoing Case Management turnover January through June, 2009

2009 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	9	191	0	5%
February	9	182	5	5%
March	7	178	9	4%
April	5	180	4	3%
May	4	179	8	2%
June	3	183	30	1%
2009 YTD	37	191 (Jan 09)	56	15%
CY 2008	105	179	123	34.8%
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%

Table 3.72 provides detailed information regarding the Ongoing Case Managers reasons for separation compared to the length of their employment.

Table 3.72: Ongoing Case Management turnover January through June, 2009

Reason for Separation	Length of Employment						Grand Total
	0 to 6 Months	7 to 12 months	13 to 18 months	19 to 24 months	25 to 36 months	37 + Months	
Voluntary resignation reason not provided		7	1		1	1	10
Another position in soc serv - not child welfare	1	1				3	5
Terminated by agency	2		1		1		4
Job dissatisfaction - General	1	2		1			4
Transferred within agency		3					3
To attend school - Not IV-E		1	1	1			3
Promoted within BMCW				1		1	2
Spousal job relocation - moved out of area			2				2
Another position outside of social services						1	1
Transferred within BMCW	1						1
Promoted within the agency		1					1
Parenting/child rearing				1			1
Grand Total	5	15	5	4	2	6	37

During the first six months of 2009 employee's length of employment:

- 6 or fewer months account for 14% of the separations;
- 7 to 12 months account for 41% of the separations;
- 13 to 18 months account for 14% of the separations;
- 37 or more months, account for 16% of the separations ; and
- 7 (19%) changed jobs for reasons of promotion or transfers within agency/BMCW.

Average number of children per caseload January through June, 2009

The OPQA monitors the monthly caseload averages of children per Ongoing Case Manager for those who are carrying cases.

Table 3.80: Average number of children per caseload January through June, 2009

	Jan	Feb	Mar	Apr	May	Jun
Region 1 - CFCP						
Children in out-of-home care	781	771	802	812	821	890
Children on a court order of supervision	233	237	221	268	249	265
OCMs EOM	55	49	48	47	50	54
Average # of children per caseload	18.4	20.6	21.3	23.0	21.4	21.4
Region 2 - CFCP						
Children in out-of-home care	988	990	950	913	885	787
Children on a court order of supervision	217	218	210	228	216	201
OCMs EOM	54	48	52	52	51	45
Average # of children per caseload	22.3	25.2	22.3	21.9	21.6	22.0
Region 3 - IFS						
Children in out-of-home care	813	800	774	762	707	652
Children on a court order of supervision	306	294	276	280	266	284
OCMs EOM	48	53	54	55	58	55
Average # of children per caseload	23.3	20.6	19.4	18.9	16.8	17.0
BMCW						
Children in out-of-home care	2,582	2,561	2,526	2,487	2,413	2,329
Children on a court order of supervision	756	749	707	776	731	750
OCMs EOM	157	150	154	154	159	154
Total Children on caseload	3,338	3,310	3,233	3,263	3,144	3,079
Average # of children per caseload	21.3	22.1	21.0	21.2	19.8	20.0

Throughout the first six months of 2009, the monthly average number of children per caseload varied with a high of 22.1 children per caseload, a low of 19.8 children per caseload and an average of 20.9 children per caseload.

This completes the report.