

EXECUTIVE SUMMARY
Child and Family Services Review
WEST VIRGINIA

The Child and Family Services Review (CFSR) assesses State performance during a specified time period with respect to seven child welfare outcomes in the areas of safety, permanency, and well-being and with respect to seven systemic factors. The assessment is based on information from the following sources:

- The Statewide Assessment prepared by the State child welfare agency – the West Virginia Department of Health and Human Resources (DHHR), Bureau for Children and Families, Office of Social Services.
- The State Data Profile prepared by the Children’s Bureau of the U.S. Department of Health and Human Services;
- Reviews of 50 cases from three counties in the State; and
- Interviews or focus groups (conducted at all three counties and the State capital) with a wide range of stakeholders including children, parents, foster parents, various levels of State and local DHHR personnel, collaborating agency personnel, school personnel, mental health providers, court personnel, legislators, and attorneys.

The on site phase of the CFSR was conducted in West Virginia the week of May 6, 2002.

The CFSR determined that the State met the national standards for measures relating to maltreatment in foster care, foster care re-entries, length of time to achieve reunification, and the stability of foster care placements. In addition, the following individual items assessed for the seven outcomes were rated as a Strength:

- Initiating investigations to child maltreatment reports in a timely manner and consistent with agency policy guidelines (item 1).
- Making diligent efforts to achieve reunification, guardianship, or permanent placement with relatives (item 8).
- Placing children in close proximity to their biological families (item 11) and with their siblings (item 12) when possible and in the children's best interest.

Despite these positive findings, the State did not achieve substantial conformity with any of the seven safety, permanency, and well-being outcomes. The State did not meet national standards for measures relating to repeat maltreatment, or the length of time to achieve adoption. A significant concern in this regard is that the State achieved permanency and stability for 38 percent of the foster care cases reviewed. Key areas assessed as part of this outcome rated as areas needing improvement pertain to foster care re-entries (item 5), stability of foster care placement (item 6), the appropriateness of the permanency goal for children (item 7), attainment of permanency through adoption (item 9), and permanency goal of other planned permanent living arrangement (item 10).

Another area of concern pertains to Child and Family Well Being Outcome 1—Families have enhanced capacity to provide for their children’s needs. During the case review, 40 percent of the cases were found to have substantially achieved this outcome, which included assessments of whether children and families received needed services (item 17), children and families were involved in case planning (item 18), and the frequency of caseworker visits with children and parents (items 19 and 20). The State did not achieve substantial conformity with Child and Family Well-Being Outcome 3—Children receive adequate services to meet their physical and mental health needs—with 60 percent of the cases reported to have substantially achieved that outcome.

With respect to the seven systemic factors, the CFSR determined that the State was in substantial conformity with the statewide information system, the quality assurance system; training efforts for child welfare staff and child caregivers; the array of services available to families; agency responsiveness to the community; and foster and adoptive parent licensing, recruitment, and retention. The State was found to be not in substantial conformity with the factor pertaining to the case review system.

The following is a summary of the CFSR findings regarding specific outcomes and systemic factors.

KEY FINDINGS RELATED TO OUTCOMES

I. SAFETY

Outcome S1: Children are, first and foremost, protected from abuse and neglect.

Status of Safety Outcome S1 – Not in Substantial Conformity

West Virginia did not achieve substantial conformity with Safety Outcome 1. This determination was based on the finding that the outcome was substantially achieved in 84.1 percent of the cases reviewed, which is less than the 90 percent required for a rating of substantial conformity. The State did not meet the national standard for repeat maltreatment, although it did meet the national standard for maltreatment of children in foster care. A summary of the findings for specific items assessed under this outcome is presented below.

Item 1. Timeliness of initiating investigations of reports of child maltreatment

Item 1 was assigned an overall rating of Strength based on the finding that in 89 percent of the applicable cases, the agency responded to a maltreatment report in a timely manner. Case findings and stakeholder comments are in agreement that DHHR responds to reports within established timeframes. In the case review process, the three cases rated as Area Needing Improvement for this item occurred in one of the counties included in the on site review. Stakeholders interviewed in this county indicated that large caseloads and a large geographic area have a negative impact on the ability of caseworkers to respond to reports in a timely manner.

Item 2. Repeat maltreatment

Item 2 was assigned an overall rating of Area Needing Improvement. Although there was no recurrence of maltreatment in 91 percent of the cases, according to the State Data Profile the incidence of repeat maltreatment for 2000 was 6.4 percent, which does not meet the national standard of 6.1 percent. Because the two measures are computed in different ways, it is necessary for both measures to meet standards or specified criteria in order for an overall rating of Strength to be assigned to the item.

As noted in the Statewide Assessment, the rates of repeat maltreatment appear to vary across districts. In five districts the recurrence rate was found to be zero, while in two districts the repeat maltreatment rate was 9 percent and 13.3 percent. These latter two districts were included in the on-site CSFR.

Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.

Status of Safety Outcome S2 – Not in Substantial Conformity

West Virginia did not achieve substantial conformity with Safety Outcome 2. This determination was based on the finding that the outcome was substantially achieved in 68.9 percent of the cases reviewed, which is less than the 90 percent required for a rating of substantial conformity. A summary of the findings for specific items assessed under this outcome is presented below.

Item 3. Services to family to protect child(ren) in home and prevent removal

Item 3 was assigned an overall rating of Area Needing Improvement. In 65.5 percent of the cases, this item was rated as a Strength, but in 34.5 percent of the cases, reviewers found that the agency had not made diligent efforts to provide services to ensure children's safety while preventing their placement in foster care. Case reviews indicated that the key problem was the lack of consistency among caseworkers in the appropriate assessment of service needs and provision of services. In some cases, the needs assessment was not sufficiently comprehensive to capture underlying problems, such as substance abuse, domestic violence, and mental illness, that may contribute to the maltreatment. In other cases, service needs were identified in the needs assessment but not provided. In contrast, stakeholders identified the key problem as a lack of availability of services and a problem in attaining approval for initiating in-home services. According to the Statewide Assessment, the accessibility of services designed to maintain children safely in their own homes varies depending on geographic location. The Statewide Assessment also noted that services to families for in-home services cases usually are provided by private provider agencies under contract with DHHR.

Item 4. Risk of harm to child

Item 4 was assigned an overall rating of Area Needing Improvement because in 26 percent of the applicable cases, reviewers determined that DHHR had not made sufficient efforts to reduce risk of harm to children. The findings suggest that in their risk

assessments, caseworkers are not capturing the underlying issues leading to abuse/neglect, particularly issues such as domestic violence and substance abuse. Consequently, caseworkers are not consistently recommending the most appropriate services to ensure risk reduction. These findings corroborate the problems identified in the Statewide Assessment about the difficulty caseworkers may confront using the current decision making model. According to the Statewide Assessment, the “risk” decision-making model requires extensive training, experience, and skill to be effective. Because of high staff turnover, there are many recently employed staff members who do not identify all safety issues that are present. As noted in the Statewide Assessment, the Department is currently testing a different decision-making model.

II. PERMANENCY

Outcome P1: Children have permanency and stability in their living situations.

Status of Permanency Outcome 1 – Not in Substantial Conformity

West Virginia did not achieve substantial conformity with Permanency Outcome 1. This determination was based on the following:

- 38 percent of the cases were rated as having substantially achieved Permanency Outcome 1, which is less than the 90 percent required for an overall rating of substantial conformity; and
- The State Data Profile indicated that the State’s percentage of children who achieved a finalized adoption within 24 months of entry into care (17.3%) did not meet the national standard of 32 percent.

In general, the CFSR indicated that most children in the foster care cases reviewed did not have permanency and stability in their living situations. Establishing appropriate permanency goals and achieving adoptions in a timely manner were identified as critical problems. A summary of the findings for specific items assessed under this outcome is presented below.

Item 5. Foster care re-entries

Item 5 was assigned an overall rating of Area Needing Improvement. In 80 percent of the 5 applicable cases, there was no re-entry into foster care. However, in one case (20%) for which this item was applicable, reviewers found that a re-entry into foster care occurred within 12 months of discharge from a prior foster care episode. In addition, although the State does meet the national standard for the rate of re-entries into foster care, the Statewide Assessment noted that they believe this statistic is not accurate and steps are being taken to correct this data.

Item 6. Stability of foster care placement

Item 6 was assigned an overall rating of Area Needing Improvement. In 72 percent of the cases, this item was rated as a Strength. However, in 28 percent of the cases reviewers determined that the agency had not made diligent efforts to ensure children’s placement

stability while in foster care. Although data from the State Data Profile indicate that the State meets the national standard pertaining to placement stability, the Statewide Assessment suggested that this statistic may be misleading, because for many cases the State information system only tracks changes in the private child placement agency, not children's foster home placements. In addition, because the State Data Profile measure of placement stability and the case review measure of placement stability are different, it is necessary for both of them to meet standards or acceptable criteria in order for this item to be rated as a Strength.

Information from case reviews and stakeholder interviews indicates that key problems with respect to placement stability are (1) a scarcity of specialized placements for children with behavioral problems or special care needs and, (2) an inconsistency in matching children with appropriate foster families or placement settings. Stakeholders indicated that caseworkers promote placement stability by being accessible to foster parents and by providing needed support

Item 7. Permanency goal for child

Item 7 was assigned an overall rating of Area Needing Improvement based on the finding that in 48 percent of the applicable cases, reviewers determined that the agency had not established an appropriate permanency goal in a timely manner. The major concerns identified were extensive delays in revising permanency goals, a lack of clear documentation and identification of permanency goals in some case records, apparent confusion regarding the appropriate use of the goal of guardianship, and a tendency of some caseworkers to establish long-term foster care as a goal before considering and eliminating other options. The CFSR identified a need for more focus on diligent efforts to achieve permanency for children.

Item 8. Reunification, Guardianship or Permanent Placement with Relatives

This item was assigned an overall rating of Strength for the following reasons:

- The State Data Profile indicates that the State's percentage for reunifications occurring within 12 months of entry into foster care (79.5%) meets the national standard of 76.2 percent.
- In 86 percent of the cases reviewed, reviewers determined that the agency had made, or was making, diligent efforts to attain the goals of reunification, permanent placement with relatives, or guardianship.

As noted in the Statewide Assessment, the subsidized legal guardianship program is seen as increasing the ability of DHHR to expedite permanency for children. However, information from both case reviews and stakeholder interviews suggests that not all caseworkers are sufficiently knowledgeable about this permanency option.

Item 9. Adoption

Item 9 was assigned an overall rating of Area Needing Improvement. In 12 percent of the cases, reviewers rated this item as a Strength. However, in 88 percent of the applicable cases, reviewers determined that DHHR had not made diligent efforts to achieve

adoptions in a timely manner. In addition, the State Data Profile demonstrates that the percentage of finalized adoptions in FY 2000 that occurred within 24 months of removal from home (17.3%) did not meet the national standard of 32 percent. Many stakeholders expressed the opinion that adoptions are not occurring in a timely manner because there are many caseworkers who do not believe that adoption is an appropriate option for some children. Other concerns noted pertained to the attitudes of some caseworkers toward adoption, the lack of concurrent planning, and inconsistencies with regard to the level of knowledge among caseworkers pertaining to the adoption process and adoption subsidies. The CFSR identified a need for more training of staff on permanency and adoption issues and practices.

The Statewide Assessment identified other barriers to timely adoption including: (1) the time required to complete adoptive homestudies; (2) the failure to identify and engage fathers early on in the case; (3) court delays and continuances; and, (4) the transfer of cases from the caseworker to the adoption worker once TPR has occurred. With respect to the latter barrier, the Statewide Assessment notes that because of turnover among agency caseworkers, transfers do not always take place in a timely manner.

Item 10. Permanency goal of other planned permanent living arrangement

Item 10 was assigned an overall rating of Area Needing Improvement. Although in 50 percent of the cases, reviewers rated this item as a Strength, for the other 50 percent of the cases, reviewers determined that the agency had not made diligent efforts to assist children in attaining more appropriate goals, such as guardianship or adoption. According to the Statewide Assessment, although long-term foster care is no longer an acceptable permanency goal, it continues to be used in a large number of cases. The Statewide Assessment also notes that other permanency options are underutilized for older children.

Outcome P2: The continuity of family relationships and connections is preserved for children.

Status of Permanency Outcome 2 – Not in Substantial Conformity

West Virginia did not achieve substantial conformity with Permanency Outcome 2. This determination was based on the finding that the outcome was rated as substantially achieved in 72.4 percent of the cases, which is less than the 90 percent required for substantial conformity.

Although the State did not reach the required 90 percent achievement required for substantial conformity, there were some areas of strength. For example, all children in the foster care cases were placed with siblings when appropriate, and almost all children were placed in close proximity to their communities of origin or were placed in out-of-area placements in order to meet special needs. In contrast, the agencies' efforts to search for relatives as potential placement resources or to promote visitation and bonding with mothers and fathers were found to be inconsistent across cases. Key concerns identified were a lack of consistent effort in seeking paternal relatives as placement resources and a failure in some cases to locate fathers or to promote visitation and bonding with fathers.

A summary of the findings for specific items assessed under this outcome is presented below.

Item 11. Proximity of foster care placement

Item 11 was assigned an overall rating of Strength because in 95 percent of applicable cases, reviewers determined that children were placed in close proximity to parents or relatives or the reason for separation was appropriate. Stakeholders expressed concern that the State did not have sufficient specialized placements to ensure that children in the State could remain close to home even when they needed specialized services.

Item 12. Placement with siblings

Item 12 was assigned an overall rating of Strength based on the finding that in 100 percent of the cases, reviewers determined that siblings either were placed together or their separation was necessary to meet the needs of one or more of the siblings. Although stakeholders mentioned the need for more foster homes that can accommodate sibling groups, this problem was not apparent in the cases reviewed.

Item 13. Visiting with parents and siblings in foster care

Item 13 was assigned an overall rating of Area Needing Improvement. In 71 percent of the cases, this item was rated as a Strength. However, in 29 percent of the applicable cases, reviewers determined that DHHR had not made concerted efforts to facilitate visitation. This determination occurred most frequently in the assessment of visitation between fathers and children. Reviewers expressed particular concern about the lack of documentation in case records concerning attempts to locate children's fathers.

Item 14. Preserving connections

Item 14 was assigned an overall rating of Area Needing Improvement because in 17 percent of the cases, reviewers determined that children's connections to family, community, culture, faith, and friends had not been preserved while the child was in foster care.

Item 15. Relative placement

Item 15 was assigned an overall rating of Area Needing Improvement because reviewers determined that in 33 percent of the cases the agency had not made diligent efforts to locate and assess relatives as potential placement resources. A key finding was an inconsistency in seeking paternal as well as maternal relatives.

Item 16. Relationship of child in care with parents

Item 16 was assigned an overall rating of Area Needing Improvement because reviewers determined that in 25 percent of cases, the agency did not make efforts to support the parent-child relationships of children in foster care. However, case review findings varied

widely, with clear indication of agency support in some cases and lack of efforts in others. Lack of effort was particularly problematic regarding efforts to locate fathers as well as promote visitation and bonding of children with fathers.

III. WELL-BEING

Outcome WB1: Families have enhanced capacity to provide for their children's needs.

Status of Well-Being Outcome 1 – Not in Substantial Conformity

West Virginia did not achieve substantial conformity with Well-Being Outcome 1. This determination was based on the finding that the outcome was rated as substantially achieved for 40 percent of the cases reviewed, which is less than the 90 percent required for a determination of substantial conformity.

The CFSR found that DHHR is not consistent in its efforts to identify and address the needs of families or to involve them in case planning. Service needs of families varied widely from parenting education classes for parents to substance abuse treatment services for children and parents. In many cases, there was evidence of infrequent face-to-face contact between agency caseworkers and the children and parents in their cases, although there was evidence in the cases reviewed that parents had frequent contact with service providers from private agencies.

Item 17. Needs and services of child, parents, foster parents

Item 17 was assigned an overall rating of Area Needing Improvement. In 54 percent of the cases, this area was rated as a Strength. However, in 46 percent of the cases, reviewers determined that the needs and services of children, parents, and/or foster parents had not been, or were not being, adequately addressed by DHHR. Areas of concern included (1) the adequacy of assessments, particularly identifying underlying problems such as substance abuse and domestic violence; (2) the lack of appropriate follow-up in some cases to ensure that services were delivered and were effective; (3) an inconsistency among caseworkers in assessing the needs of fathers and involving them in services; and (4) a lack of attention in some cases to the service needs of foster parents. Another key concern identified from the case review process is that foster care youth do not appear to be receiving services to prepare them for eventual independent living.

Item 18. Child and family involvement in case planning

Item 18 was assigned an overall rating of Area Needing Improvement. In 50 percent of the cases, this item was rated as a Strength. However, in 50 percent of the applicable cases, reviewers determined that DHHR had not appropriately involved parents or children in the case planning process. This finding is contrary to DHHR policy, as noted in the Statewide Assessment, which requires that the parents be involved in MDTs with the objective of creating a working collaboration with the family. However, the finding is

consistent with information provided in the Statewide Assessment indicating that there is a low participation rate of parents in the MDT process.

Item 19. Worker visits with child

Item 19 was assigned an overall rating of Area Needing Improvement. In 64 percent of the cases, this item was rated as a Strength. However, in 36 percent of the cases, reviewers determined that the frequency of caseworker visits with children was not sufficient to ensure adequate monitoring of the child's safety and well-being. According to State policy, there is no minimum number of contacts for in-home services cases, aside from the requirement of contact during completion of the Initial Assessment and Safety Evaluation. For foster care cases the frequency of contacts is set by policy, which varies depending on the type and location of the foster care placement. However, the general requirement is that meaningful contact should be made with every child in foster care (usually after the adjudication) at least once a month. According to the Statewide Assessment, DHHR staff members have historically experienced difficulty in making all the contacts that the standards of good practice require. This was attributed primarily to the high rate of staff turnover.

Item 20. Worker visits with parents

This item was assigned an overall rating of Area Needing Improvement. In 51 percent of the applicable cases, this item was rated as a Strength. However, in 49 percent of the applicable cases, reviewers determined that visits with parents were not frequent enough or of sufficient quality to promote the safety and well-being of the child or enhance attainment of permanency. As noted in the Statewide Assessment, DHHR recognizes that regular contact between caseworkers and families is a key to effective service delivery. However, the Statewide Assessment also notes that DHHR caseworkers experience difficulty in achieving the agency-required level of contact. According to DHHR policy, the agency requires that the child's caseworker is to have contact with the child's parents on at least a monthly basis while the child is in foster care or until parental rights are terminated. No agency policy was noted in the Statewide Assessment regarding frequency of contact with children in the "in-home services" cases.

Outcome WB2: Children receive appropriate services to meet their educational needs.

Status of Well-Being Outcome WB2 – Not in Substantial Conformity

West Virginia did not achieve substantial conformity with Well-Being Outcome 2 based on the finding that only 75 percent of the cases reviewed were determined to have substantially achieved this outcome. This is less than the 90 percent required for substantial conformity. The general finding of the CFSR case review process was that in about 25 percent of the cases, the children's educational needs were not met because necessary education-related services were not provided. In addition, foster parents were not always informed about the child's school history and did not receive school records at the time of placement.

The findings for the single item subsumed under this outcome are presented below.

Item 21. Educational needs of the child

Item 21 was assigned an overall rating of Area Needing Improvement. In 75 percent of the cases, this item was rated as a Strength. However, in 25 percent of the cases, reviewers determined that the educational needs of children were not effectively and appropriately addressed. This is consistent with information provided in the Statewide Assessment indicating that casework practices regarding children’s educational needs are uneven across the State. Also, reviewers found that foster parents tended to be the primary advocates for the educational needs of the child.

Outcome WB3: Children receive adequate services to meet their physical and mental health needs.

Status Of Well-Being Outcome 3 - Not in Substantial Conformity

West Virginia did not achieve substantial conformity with Well-Being Outcome 3. This determination was based on the finding that the outcome was rated as substantially achieved in only 60 percent of the applicable cases, which is less than the 90 percent required for a determination of substantial conformity.

In general, the CFSR found inconsistencies with respect to agency efforts to meet the physical and mental health needs of children in foster care or in-home services cases. Particular concerns were identified in the area of meeting children's mental health needs. The case review process found that some children did not receive complete mental health assessments or all of the services recommended to address mental health problems. There were several cases in which the case record documented the need for services but there was no follow up to determine whether services had been provided. Both the stakeholders and the Statewide Assessment noted that part of the problem is due to shortages of mental health services in many areas of the State.

Findings pertaining to the specific items assessed under Well-Being Outcome 3 are presented and discussed below.

Item 22. Physical health of the child

Item 22 was assigned an overall rating of Area Needing Improvement. In 82 percent of the applicable cases, this item was rated as a Strength. However in 18 percent of these cases, reviewers determined that DHHR was not adequately addressing the health needs of children in foster care and in-home services cases. According to the Statewide Assessment, the State's Program Review process found that casework practices regarding children’s health needs are uneven across the State. However, the Statewide Assessment also noted that part of the problem observed with respect to meeting children’s health needs may be attributed to poor documentation on the part of caseworkers. For example, the Statewide Assessment reported that during the State’s program review, foster parents

revealed that caseworkers did discuss the child's health care issues with them, but these conversations were not documented in the case record.

Item 23. Mental health of the child

Item 23 was assigned an overall rating of Area Needing Improvement. In 62 percent of the applicable cases, this item was rated as a Strength. However, in 38 percent of these cases, reviewers determined that DHHR did not adequately address children's mental health needs. Information in the Statewide Assessment corroborates stakeholders' statements regarding the lack of behavioral health services. The Statewide Assessment also indicated that the State's program review process found that children's mental health needs were not well documented in the case files.

KEY FINDINGS RELATING TO SYSTEMIC FACTORS

IV. STATEWIDE INFORMATION SYSTEM

Status of Statewide Information System – Substantial Conformity

West Virginia is in substantial conformity with the factor of Statewide Information System. Findings with respect to the item assessed for this factor are presented below.

Item 24. State is operating a statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.

Item 24 was rated as a Strength because the West Virginia FACTS is a SACWIS certified system and submits AFCARS and NCANDS data without error. Stakeholders are supportive of FACTS and are encouraged by the improvements it has brought to child welfare in West Virginia, but stakeholders also pointed out data input problems, staffing limitations and training needs. . While the State's system is able to track the status, demographic characteristics, location, and goals for children in foster care, the on site review and the Statewide Assessment both identify concerns regarding the accuracy of the data relating to some of the national standards.

V. CASE REVIEW SYSTEM

Status of Case Review System – Not in Substantial Conformity

West Virginia is not in substantial conformity with the systemic factor of Case Review System. Findings with regard to specific items assessed for this factor are presented below.

Item 25. Provides a process that ensures that each child has a written case plan to be developed jointly with the child's parent(s) that includes the required provisions.

Item 25 has been rated an Area Needing Improvement because case plans have insufficient parent involvement, a majority of case plans are not adequately documented, and there are inconsistencies in the implementation of the MDT process across the State.

Item 26. Provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review.

Item 26 has been rated an Area Needing Improvement because administrative and judicial reviews for each child were not being held on a timely basis and MDT administrative reviews may not meet Federal requirements. The CFSR found that some MDT administrative reviews are often facilitated by the caseworker; Federal policy requires a third-party review by an individual not involved in the case. The CFSR found that the policy infrastructure for periodic case review is present including a combination of state statute, Supreme Court rules, and revised child protection and foster care policy. However the practice implementing these rules and policy does not meet the expectations of the policy.

Item 27. Provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.

Item 27 has been rated an Area Needing Improvement because of a lack of consistency across the State in holding timely hearings. In addition, after TPR has been attained, the court often will cease to hold the 12 month permanency hearing.

Item 28. Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.

Item 28 has been rated as a Strength because TPR petitions are being filed on a timely basis in a majority of cases and the State has dramatically increased terminations and is complying with ASFA requirements for TPR. Stakeholders indicated that there are agency related barriers to achieving TPR, including staff turnover and caseworkers being unprepared for court. Stakeholders noted that the State agency collaborates with the child support agency to assist in locating children's fathers.

Item 29. Provides a process for foster parents, preadoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child.

Item 29 has been rated as an Area Needing Improvement because foster parents, preadoptive parents and relative caretakers do not routinely participate in meetings, hearings, and reviews. There is variation among counties as to notice provided, level of participation, and opportunities to be heard in court hearings, administrative reviews and MDT meetings.

VI. QUALITY ASSURANCE SYSTEM

Status Of Quality Assurance System – Substantial Conformity

West Virginia is in substantial conformity with the factor of Quality Assurance System. Findings with respect to the specific items assessed for this factor are presented below.

Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children.

Item 30 has been rated as a Strength because the State has promulgated new regulations and policy in CPS, youth services and foster care to include changes in law, federal regulations and best practice standards.

Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.

Item 31 has been rated a Strength because the State is operating an identifiable quality assurance system based on the CFSR that identifies strengths and needs, and it has developed a methodology of evaluating program improvements.

VII. TRAINING

Status With Respect To Training – Substantial Conformity

West Virginia is in substantial conformity with the systemic factor of Training. Findings with respect to items assessed for this factor are presented below.

Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services.

Item 32 has been rated a Strength because West Virginia is operating a staff development and training program for all staff that addresses the requirements of IV-B and IV-E. Stakeholders indicated that new worker pre-service training is of good quality. However, stakeholders did express concern about staff turnover and its impact on training new workers in a timely manner.

Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.

Item 33 has been rated an Area Needing Improvement because the advanced and in-service training opportunities are insufficient to allow staff to continue to develop their skills. Additional training is needed in certain program areas and specialized training is not offered.

Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children.

Item 34 was rated a Strength because West Virginia operates a mandatory training program for all prospective foster/adoptive parents. The pilot testing of the PRIDE curriculum may be expanded statewide.

VIII. SERVICE ARRAY

Status With Respect To Service Array – Substantial Conformity

West Virginia is in substantial conformity with the systemic factor of service array. Findings pertaining to the specific items relevant to this factor are presented and discussed below.

Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency.

Item 35 was rated as a strength because West Virginia has in place an array of services that meet the elements required in Item 35. West Virginia provides a basic core of services to children and families including family support, counseling, respite care, socialization services, parenting education, services related to in-home safety and permanency. Stakeholders cited services that have significant gaps such as mental health and substance abuse treatment. Another area of concern was the lack of specialized placement resources for children with special needs, such as those with behavior problems, dual diagnosed children, and sex offenders.

Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP.

Item 36 was rated as an Area Needing Improvement because the distribution of Title IV-B services is uneven around the State and all services are not available in every county. The MDT process is not consistently utilized across the State and is not routinely made available to parents and foster parents. The Statewide Assessment notes that in general, urban areas have far more resources than rural areas. Stakeholders noted that transportation is a major service that is lacking in many areas of the State.

Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency. Item 37 was rated a strength because the MDT process allows for a thorough assessment of the child's and families' needs and develops a service plan to meet those identified needs on an individualized basis. The stakeholders noted that the MDT serves this purpose, but is used inconsistently across the State.

IX. AGENCY RESPONSIVENESS TO THE COMMUNITY

Status With Regard To Agency Responsiveness To The Community – Substantial Conformity

West Virginia is in substantial conformity with the systemic factor Agency Responsiveness to the Community. Findings for the items pertaining to this factor are presented below.

Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.

Item 38 was rated a Strength because West Virginia engages consumers, providers, courts, family-serving agencies and other public and private agencies in ongoing consultation and includes their concerns in the State Plan.

Item 39. The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP.

Item 39 has been rated as a Strength because West Virginia receives annual reports of progress for programs and services supported under the CFSP.

Item 40. The State's services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.

Item 40 has been rated a Strength because West Virginia coordinates services with other Federal and federally assisted programs.

X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION

Status With Regard To Foster And Adoptive Parent Licensing, Recruitment, And Retention – Substantial Conformity

West Virginia is in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. Findings for the items pertaining to this factor are presented below.

Item 41. The State has implemented standards for foster family homes and child care institutions which are reasonably in accord with recommended national standards.

Item 41 has been rated a Strength because West Virginia has developed child placing regulations for foster family homes that are in accord with national standards.

Item 42. The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.

Item 42 has been rated an Area Needing Improvement because all private agency and public agency homes do not always meet standards and homestudies for specialized homes may not be comprehensive.

Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children.

Item 43 has been rated a Strength because West Virginia has developed and is implementing a comprehensive criminal records check system. Stakeholders indicated that criminal background checks, including FBI checks, are completed on potential foster parents at the first training session.

Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.

Item 44 has been rated as an Area Needing Improvement because the current pool of available foster care and adoptive providers in some regions of West Virginia does not reflect the ethnic diversity of the foster care population needing placement. While the general population of the State is approximately 2% African American; approximately 20% of all children waiting for adoption are African American.

Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.

Item 45 has been rated as a Strength because West Virginia has implemented regional cross-county recruitment, cross-state recruitment in Ohio and Kentucky and has received many web-site hits from outside the eastern United States.

Introduction

This document presents the findings of the Child and Family Services Review (CFSR) for the State of West Virginia. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment prepared by the State child welfare agency – the West Virginia Department of Health and Human Resources (DHHR), Bureau for Children and Families, Office of Social Services.
- The State Data Profile prepared by the Children’s Bureau of the U.S. Department of Health and Human Services;
- Reviews of 50 case records at three sites throughout the State; and
- Interviews or focus groups (conducted at all three sites) with stakeholders including children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, school personnel, mental health providers, court personnel, legislators, and attorneys.

The key characteristics of the 50 cases reviewed are the following:

- 22 cases were reviewed in Kanawha County, 14 in Fayette County, and 14 in Logan County.
- All 50 cases had been open cases at some time during the period under review.
- 29 of the cases were “foster care cases” (cases in which children were in the custody of the State child welfare agency and in an out-of-home placement at some time during the period under review), and 21 were “in-home services cases” (cases in which families received services from the child welfare agency while children remained in their homes).
- 5 of the 29 foster care cases were juvenile justice cases.
- In 41 cases, all children in the family were Caucasian; in 5 cases, all children in the family were African American; in 1 case, all children in the family were Hispanic; and in 3 cases, the children were two or more races.
- Of the 50 case records reviewed, the **primary** reasons for opening the child welfare agency case were the following:
 - Neglect (not including medical neglect) – 18 cases (36%)
 - Physical abuse – 6 cases (12%)
 - Substance abuse by parent – 5 cases (10%)
 - Child in juvenile justice system – 5 cases (10%)
 - Mental/physical health of parent – 3 cases (6%)
 - Abandonment – 3 cases (6%)
 - Sexual abuse – 2 cases (4%)
 - Medical neglect – 2 cases (4%)
 - Domestic violence in child’s home – 1 case (2%)
 - Child’s behavior – 1 case (2%)

- Mental/physical health of child – 1 case (2%)
- Other – 3 cases (6%)
- Among **all** reasons identified for children coming to the attention of the child welfare agency, neglect (not including medical neglect) was cited in 29 (58%) cases, physical abuse was cited in 17 (34%) cases, substance abuse by parents was cited in 13 (26%) cases, domestic violence in the child's home was cited in 10 (20%) cases, and mental/physical health of the parent was cited in 10 (20%) of cases.
- For 17 of the 29 foster care cases, the children entered foster care prior to the period under review and remained in foster care during the entire period under review; for 8 of the 21 in-home services cases, the case had been opened prior to the period under review.

The first section of the report presents the CFSR findings relevant to the State's performance in achieving specific outcomes for children in the areas of safety, permanency, and well-being. For each outcome, there is a table presenting key findings, a discussion of the State's status with regard to the outcome, and a presentation and discussion of each item (indicator) assessed for the outcome. The second section of the report provides an assessment and discussion of the systemic factors relevant to the child welfare agency's ability to achieve positive outcomes for children.